



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.12.2019

CORAM :

THE HONOURABLE MR.JUSTICE **R.SUBRAMANIAN**

Tr.C.M.P(MD)No.510 of 2019

S.Rajkumar ... Petitioner/Respondent

Vs.

T.S.Dhakshinamoorthy ... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code to withdraw E.P.No.44 of 2017 on the file of Principal Subordinate Judge, Pudukkottai, and transfer the same to the file of the Additional Subordinate Court, Pudukkottai or any other competent court.

For Petitioner : Mr.R.Subramanian
For Respondent : Mr.K.C.Maniyarasu

J U D G M E N T

Though this petition has been filed for transfer of E.P.No.44 of 2017 from the file of the Principal Subordinate Court, Pudukkottai to the Additional Subordinate Court, Pudukkottai or any other competent court at Pudukkottai, considering the nature of the claim made and the statement made by the learned counsel for the petitioner that the petitioner/judgment debtor is ready to pay the entire amount due under the decree, notice was ordered to the learned counsel for the decree holder appearing before the trial Court.

2. Pursuant to the said notice, Mr.K.C.Maniyarasu, learned counsel has entered appearance for the respondent.

3. When the matter was taken up on 11.12.2019, the learned counsel for the petitioner produced a calculation memo showing that there is a sum of Rs.14,21,743/- due and payable under the decree. It is also stated that the entire amount will be paid by today i.e on 12.12.2019. Hence, the matter was adjourned. Today, the learned counsel for the petitioner handed over a Demand Draft for a sum of Rs.14,21,743/- drawn in favour of the respondent/decreed holder. The learned counsel for the respondent has also received the same and has made an endorsement to the effect that the decree in O.S.No.4139 of 2016 on the file of the 7th Additional Judge, City Civil Court, Chennai, is fully satisfied.



4. In view of the said payment, the entire decree stands satisfied. Hence, the execution petition in E.P.No.44 of 2017 is withdrawn to the file of this Court and the same is dismissed recording full satisfaction of the decree. Attachment ordered in the execution proceedings is raised.

5. The Registry is directed to communicate this order to the Principal Subordinate Judge, Pudukkottai, with a direction to close E.P.No.44 of 2017 after recording full satisfaction.

6. With the above direction, this Transfer Civil Miscellaneous Petition is disposed of. No costs.

Sd/-

Assistant Registrar(Records)

// True Copy //

Sub Assistant Registrar(CS)

CM

To,

1. The Principal Subordinate Judge, Pudukkottai,
(the Principal Subordinate Judge, Pudukkottai, with a direction to close E.P.No.44 of 2017 after recording full satisfaction)
2. The VIIth Additional Judge, City Civil Court, Chennai,
+3CC TO MR.R.SUBRAMANIAN, Advocate Sr. No. 104737

TR.C.M.P(MD)No.510 of 2019
12.12.2019

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