

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Transfer C.M.P.No.50 of 2017

P.Arunraj

...Petitioner

vs.

1.R.Santhakumar
2.D.Savithiri
3.K.Kothainayaki
4.Kaliammal
5.T.Jayakumar
6.T.Sivasamy
7.V.Shanmugasundaram
8.P.Chandrakumar
9.Jothimanikandasamy
10.Minor J.Prakash

rep. By his guardian/father, Jothimanikandasamy

11.Minor J.Janani

rep. By his guardian/father, Jothimanikandasamy

12.P.Kumaravel
13.S.Sakthivel
14.K.Pongiannan
15.P.Sakthivel

...Respondents

Tr.C.M.P. filed under Section 24 of C.P.C., to withdraw the suit in O.S.No.222 of 2013 on the file of the District Munsif Court, Mettupalayam, and transfer the same to the file of the Principal District Judge, Coimbatore to be tried along with O.S.No.441 of 2015 pending on the file of the Principal District Court, Coimbatore.

For Petitioner : Mr.G.Rajan

O R D E R

This Transfer Civil Miscellaneous Petition is filed seeking to withdraw the suit in O.S.No.222 of 2013 from the file of the District Munsif Court, Mettupalayam, and transfer the same to the file of the Principal District Judge, Coimbatore to be tried along with O.S.No.441 of 2015 pending on the file of the Principal District Court, Coimbatore.

2. When the matter was taken up for hearing on 07.01.2020, learned counsel for the Petitioner sought time to take steps to bring on record the legal heirs of the deceased Respondents 1 and 6, and this Court granted time till 21.01.2020. Even on 21.01.2020, no steps were taken by the learned counsel for the Petitioner. Hence, this Court imposed costs of Rs.1,000/- payable by the Petitioner to the Tamil Nadu Mediation and Conciliation Centre attached to this Court, and adjourned the matter to 03.02.2020, to take steps.

3. Even today, no steps are taken by the learned counsel for the Petitioner to bring on record the legal heirs of the deceased Respondents 1 and 6. As the order of this Court has not been honoured in spite of sufficient time being granted to take steps, this Transfer Civil Miscellaneous Petition stands dismissed.

4. It is needless to mention that, it is open to the Petitioner to file a Petition for restoration of this Transfer Civil Miscellaneous Petition, in time. No costs. Consequently, connected C.M.P.No.980 of 2017 is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

(aeb)

To :

1.The District Munsif Court,
Mettupalayam.

2.The Principal District Judge,
Coimbatore.

RR(CO)
CB(05/03/2020)

Tr.C.M.P.No.50 of 2017

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