



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 09.03.2020

CORAM

WEB COPY

THE HONOURABLE Mrs. JUSTICE R.THARANI

TR C.M.P (MD) No.69 of 2020

K.Subbulakshmi

.... Petitioner

-Vs-

K.Vijayalakshmi

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to pass an order of direction to transfer the case in O.S.No.86 of 2019 on the file of the learned District Munsif, Vadipatti, Madurai District, to the file of the learned III Additional Sub-Judge, Madurai, to try along with O.S.No.729 of 2019 on the file of the III Additional Sub Judge, Madurai, filed by the respondent.

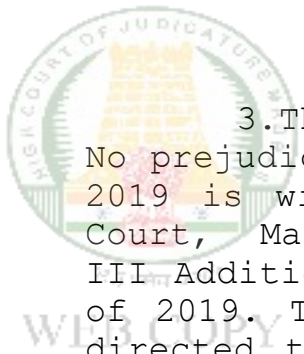
For Petitioner : Mr.A.Kannan

For Respondent : Mr.V.S.Kishok Kumar

O R D E R

1.This petition has been filed seeking transfer of suit in O.S.No.86 of 2019 on the file of the learned District Munsif, Vadipatti, Madurai District to the file of the learned III Additional Sub-Judge, Madurai.

2.On the side of the petitioner it is stated that the petitioner has filed a suit in O.S.No.86 of 2019 on the file of the learned District Munsif Court, Madurai District, for injunction. Against which, the respondent has filed a suit in O.S.No.729 of 2019 on the file of the III Additional Sub Judge, Madurai, and further stated that both the suit properties are the same and the parties are also the same and both the cases are to be tried by the same Court to avoid contrary judgments and hence, prayed O.S.No.86 of 2019 on the file of the learned District Munsif, Vadipatti, Madurai District, to be transferred to the III Additional Sub-Judge, Madurai.



3.The reasons stated by the petitioner are satisfactory. No prejudice will be caused to the respondent. Hence, O.S.No.86 of 2019 is withdrawn from the file of the learned District Munsif Court, Madurai District and is transferred to the learned III Additional Sub Judge, Madurai for trial along with O.S.No.729 of 2019. The learned District Munsif Court, Madurai District, is directed to transmit the entire records in O.S.No.86 of 2019 to the learned III Additional Sub Judge, Madurai. The learned III Additional Sub Judge, Madurai, is hereby directed to issue fresh summon to the respondent after the case is transferred and renumbered.

4.With the above the directions, this Transfer Civil Miscellaneous Petition is allowed. No costs.

Sd/-

Assistant Registrar(CS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

1.The District Munsif,
Vadipatti, Madurai District.

2.The III Additional Sub-Judge,
Madurai.

+1 CC to M/s.A.KANNAN, Advocate (SR-10843[F] dated 10/03/2020)

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SPU(08.05.2020) 2P 4C