

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Tr.C.M.P.No.91 of 2020

C.M.P.No.3287 of 2020

1.S.Ramani
2.S.Vasanth
3.S.Shailaja
4.S.Ramya

..Petitioners/Defendants 3 to 6

.vs.

1.Jayanthi
2.Loganayaki
3.Dhanalakshmi
4.Venkatesan
5.Boopathy
6.Valarmathi
7.Elangovan
8.Revathy
9.Suresh
10.Jayasankar

... Respondents

PRAYER : Transfer CMP is filed under Section 24 of the Civil Procedure Code to permit the petitioner to withdraw and transfer O.S.No.4 of 2012 pending on the file of the learned Additional District Judge-II, Tindivanam to any other court, outside the Villupuram District for further proceedings.

For Petitioner : Mr.S.N.Subramani

For Respondent : Mr.I.C.Vasudevan for R1
No-appearance for RR2 to 10.

ORDER

The petition for transfer is filed to withdraw and transfer O.S.No.4 of 2020 from the learned Additional District Judge-II, Tindivanam to any other Court, outside the Villupuram District.

2. The learned counsel for the first respondent made a submission that this Court has already issued a direction to the trial Court to dispose the suit within a period of six months.

Pursuant to the direction of this Court, the trial Court has taken up the matter and the trial is going on day-to-day basis.

3. In view of the fact that the trial has already commenced and moving fastly and the Court is also taken efforts to dispose of the suit as expeditiously as possible, it is not preferable to entertain the transfer Civil Miscellaneous Petition at this length of time. The suit is of the year 2012, which is pending for the past eight years. Thus, the reason for transfer deserves no merit consideration due to the efflux of time.

4. With these observations, the Transfer Civil Miscellaneous Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

The Additional District Judge-II, Tindivanam.

Tr.CMP No.91 of 2020

rr ii (27/01/2021)

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