

A.No.812 of 2021
in C.S.No.329 of 2019

R.PONGIAPPAN,J.

The applicant herein has arrayed as fifth defendant in C.S.No.329 of 2019. He has filed an application in A.No.812 of 2021 to withdraw the suit in O.S.No.692 of 2018 pending on the file of the VI Assistant City Civil Court, Chennai and transfer the same to this Court for joint trial along with C.S.No.329 of 2019.

2. Originally, the present suit has been filed by one S.P.Alagappa and S.P.Arunachalam (R1 and R2) against the applicant and other four respondents R3 to R6 and claiming partition in the suit schedule property.

3.It is the contention raised by the learned counsel appearing for the fifth defendant that in respect to the suit schedule property, the applicant herein filed a suit in O.S.No.692 of 2018 and the same is pending on the file of VI Assistant City Civil Court, Chennai.

4.On going through the copy of the plaint pertains to O.S.No.692 of 2018, it seems that the present plaintiffs in the above suit, seeks

relief of injunction in respect to the suit schedule property. On the other hand, the Learned counsel for the respondent made a submission that they have no objection in allowing this application.

5. Therefore, considering the prayer sought by the applicant and also for the reason that both the suits are filed in respect to the same property, this Court is of the opinion that it would be appropriate to try both suits simultaneously and jointly. If both the suits are tried separately, it would cause multiplicity of proceedings. Therefore, this application is ordered as prayed for.

6. Registry is directed to call for the entire Records pertains to O.S.No.692 of 2018 pending on the file of VI Assistant City Civil Court, Chennai.

7. List the suit on 30.03.2021 along with O.S.No.692 of 2019.

WEB COPY

02.03.2021

msv

R.PONGIAPPAN,J.

Msv



**A.No.812 of 2021
in C.S.No.329 of 2019**

WEB COPY

02.03.2021