



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2021

CORAM:

THE HONOURABLE Mr. JUSTICE S.S.SUNDAR

Tr.C.M.P. Nos.133, 138 and 146 of 2021
and C.M.P. Nos.4178, 4215 and 4363 of 2021

Ravi

.. Petitioner
in all Tr.C.M.Ps

Vs

1.Bangaruamma
2.Rani
3.Vanaja
4.Vimala
5.Baby

.. Respondent
in Tr.C.M.P.No.133 of 2021

1.Thanamammal
2.Rani
3.Vanaja
4.Vimala
5.Baby

.. Respondent
in Tr.C.M.P.No.138 of 2021

1.Govindammal
2.Rani
3.Vanaja
4.Vimala
5.Baby

.. Respondent
in Tr.C.M.P.No.146 of 2021

COMMON PRAYER : Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, to withdraw the suit in O.S. Nos.64, 62 and 60 of 2021 respectively from the file of the Subordinate Judge, Viruthachalam, Cuddalore District and to transfer the same to the file of the Principal District Court, Villupuram.

For Petitioner : Mr.M.Muruganantham
in all Tr.C.M.Ps
For Respondent : Mr.T.Sezhian
in all Tr.C.M.Ps for R1

No Appearance for R2 to R5
in all Tr.C.M.Ps



COMMON ORDER

These petitions have been filed to withdraw the suits in O.S. Nos.60, 62 and 64 of 2021 respectively from the file of the Subordinate Judge, Viruthachalam, Cuddalore District and to transfer the same to the file of the Principal District Court, Villupuram.

2.It is the specific case of the petitioner that the claim of the plaintiffs in all the three suits is based on earlier partition dated 27.10.1949. Plaint in all the suits refers to the partition dated 27.10.1949. It is stated that the connected suits are already pending before the Principal District Court, Villupuram. The learned counsel for the petitioner referred to the order passed in a batch of transfer petitions, where all the connected suits had already been withdrawn from other Courts and transferred to the Principal District Court, Villupuram.

3.Having regard to the facts and circumstances of the case, this Court is inclined to pass the following order:

The above Transfer Civil Miscellaneous Petitions are allowed. The three suits filed in O.S.Nos.60, 62 and 64 of 2021 respectively on the file of the Subordinate Judge, Viruthachalam, Cuddalore District are hereby withdrawn and transferred to the file of the Principal District Court, Villupuram, to be tried and disposed of along with O.S. Nos.95, 96 and 97 of 2020 and other cases. No Costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Subordinate Judge, Viruthachalam,
Cuddalore District.

2. The Principal District Court,
Villupuram.

+3cc to M/s.R.Meenal, Advocate, S.R.No.33575, 33576, 33577

+1cc to Mr.M.Muruganantham, Advocate, S.R.No.33484

Tr.C.M.P. Nos.133, 138 and 146 of 2021
and C.M.P. Nos.4178, 4215 and 4363 of 2021

SR-II(CO)

CB(11/08/2021)