



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TR CMP No.330 of 2021
and CMP No.7886 of 2021

R.Chandrapraba ... Petitioner

Vs

K.P.Ganesan ... Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, 1908, to withdraw the suit in O.S.No.18 of 2021 pending on the file of the Sub Court at Thiruchengode and transfer the same to the Sub Court, Neyveli for disposal.

For Petitioner : Mr.R.Muralidharan

For Respondent : Mr.S.N.Subramani

O R D E R

The petitioner seeks transfer of O.S.No.18 of 2021, a money suit filed by the respondent on the file of the Sub Court, Tiruchengode to Sub Court, Neyveli.

2. The transfer is sought for on the ground of convenience of the petitioner who is a defendant in the suit and on the ground of her inability to attend the hearing due to her illhealth. It is not in dispute that the parties are related and the daughter of the plaintiff is married to the son of the defendant. According to the petitioner, the dispute arose because she had settled the property in favour of her son and her grand children born through the son. Be that as it may, considering the fact that the petitioner who is aged about 70 years, is suffering from neurological disorder and she is under treatment, I am of the opinion that the request for transfer is just and reasonable.

3. The learned counsel for the respondent would oppose the transfer on the ground that he is also aged about 60 years.

4. The suit is of the year 2021 and the written statement has also been filed. In a suit on a promissory note pending before the Civil Court, parties can appear only for essential hearings



and represented through counsel for non essential hearings.

5. In the light of the above, the suit in O.S.No.18 of 2021 is withdrawn from the file of the Sub Court, Tiruchengode and transferred to the Sub Court, Neyveli. Since the pleadings are complete, the Sub Court, Neyveli is directed to dispose of the suit within a period of six months from the date of receipt of records from the Sub Court, Thiruchengode. The Transfer CMP is allowed as above. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

vum

To

1. The Sub Ordinate Judge, Tiruchengode.
2. The Sub Ordinate Judge, Neyveli.

+1cc to Mr.S.N.Subramani, Advocate, S.R.No.62387
+1cc to Mr.R.Muralidharan, Advocate, S.R.No.62522

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VG-II(CO)
CT/14/12/2021