

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Tr.C.M.P.No.549 of 2020
and
C.M.P.No.14493 of 2020

K.Ravi

.. Petitioner

vs.

1.The Branch Manager,
IDBI Bank Limited,
Chennai Retail Asset Centre,
No.24/36, Kalapalathika Towers,
Dr.Ambedkar Salai,
Kodambakkam, Chennai - 600 024
now at
Chennai Retail Asset Centre,
Ground Floor, Khiviraj Complex-I,
No.480, Anna Salai, Nandanam,
Chennai - 600 035.

2.Mrs.S.Nandhini

.. Respondents

PRAYER : Transfer CMP is filed under Section 24 of the Civil Procedure Code, to withdraw the suit in O.S.No.6570 of 2015 on the file of XIV Asst.City Civil Court, Chennai and transfer to Additional District Court-II, Poonamallee, and try along with O.S.No.2 of 2018 on the file of Additional District Court-II, Poonamallee.

For Petitioner : Mr.Jeremiah Gregory John

For Respondents : Mr.E.Ezhil Caroline for R2
No appearance

O R D E R

The petition for transfer is filed on the ground that the petitioner filed O.S.No.2 of 2018 for Declaration before the Additional District Court-II, Poonamallee. However, the suit filed by the second respondent in O.S.No.6570 of 2015 is pending before XIV Assistant City Civil Court at Chennai and the said suit was instituted for injunction.

2. In view of the fact that the suit pending before the District Court cannot be transferred to the City Civil Court, Chennai on account of jurisdiction, it is preferable to transfer the suit pending before the City Civil Court, Chennai to the Additional District Court, Poonamallee, for joint trial in order to avoid inconsistency in dealing with the issues.

3. In this view of the matter, O.S.No.6570 of 2015 pending on the file of the XIV Assistant City Civil Court, Chennai, stands transferred to Additional District Court-II, Poonamallee, to be tried along with O.S.No.2 of 2018. Thus, the Transfer CMP in TR.CMP.No.549 of 2020 stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Judge,
XIV Assistant City Civil Court,
Chennai.

2.The Judge,
Additional District Court-II,
Poonamallee.

Tr.CMP No.549 of 2020

SSV(CO)
CB(24/03/2021)

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