

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Tr.C.M.P.No.853 of 2019
and
C.M.P.No.23474 of 2019

1.E.Martin Susairaj
2.E.Martin Arulraj
3.E.Martin Thomasraj
4.C.Anand
5.A.Adaikalamary
6.E.Jemma
7.M.Vasanthakumari
8.M.Sheeba
9.M.Mary Sherly
10.E.Mary
11.M.Elias

... Petitioners

vs.

1. M/s.The Diocese of Chengalpet of Roman
Catholic Churches,
Rep.by Property Administrator,
Bishop's House,
Thimmavaram,
Chengalpet.

2.T.Kuberan

.. Respondents

PRAYER : Transfer CMP is filed under Section 24 of the Civil Procedure Code to withdrawn the proceedings in O.S.No.151 of 2015 on the file of the Principal Sub-Ordinate Court, Chengalpet, Kanchipuram District and has to be transferred to Sub-Court, Kanchipuram and to be tried along with O.S.No.43 of 2017 pending on the file of the Sub-Court, Kanchipuram, Kanchipuram District.

For Petitioners : Mr.K.G.Senthilkumar
For Respondents : R1 - M/s.Angelin
For M/s.Selvi George
R2 - Not Ready in notice

O R D E R

The relief sought for in the present petition is to transfer O.S.No.151 of 2015 pending on the file of the Principal Subordinate Court, Chengalpet, Kanchipuram District and to transfer the same to the Sub Court, Kancheepuram to be tried along with O.S.No.43 of 2017.

2. It is pertinent to note that transfer is sought for within the judicial District of Kancheepuram. If the transfer of cases is sought for within the same District, then the petition before the High Court is not entertainable. The parties to the transfer petition are at liberty to approach the appropriate Court seeking transfer as the relief is to transfer the case within the same Judicial District.

3. Accordingly, this Transfer Civil Miscellaneous Petition No.853 of 2019 stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Kak

To

1.The Principal Subordinate Judge,
Chengalpet, Kanchipuram District.

2.The Subordinate Judge,
Sub-Court, Kanchipuram.

+1cc to M/s.K.G.Senthil Kumar, Advocate, sr no.7819

+1cc to The Government Pleader, sr no.8658

Tr.CMP No.853 of 2019

GMI (CO)

RMP (01/03/2021)