



WEB COPY

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 15.04.2021

**CORAM:**

**THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN**

**Tr.C.M.P. (MD) No.127 of 2021**

**and**

**C.M.P. (MD) No.2507 of 2021**

Selvaraj ... Petitioner/1<sup>st</sup> Defendant

-vs-

1. Benjamin Raj ... 1st Respondent/Plaintiff

2.Michel.D.Sosa

3.Lawrence Isebella

... 2<sup>nd</sup> and 3<sup>rd</sup> Respondents/  
2<sup>nd</sup> and 3<sup>rd</sup> Defendants

**PRAYER:** Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the case on the file of the Principal District Judge, Pudukkottai in O.S.NO. 57 of 2020 and transfer the same to some other competent court at Pudukkottai.

For Petitioner : Mrs.S.Prabha

For R1 : Mr.G.Kannan

**O R D E R**

The present Transfer Civil Miscellaneous Petition is filed to withdraw the suit in O.S.No. 57 of 2020 on the file of the Principal District Judge, Pudukkottai and transfer the same to some other competent court at Pudukkottai.

2.The learned counsel for the petitioner/1<sup>st</sup> defendant submits that the suit is filed for partition. It is further submitted that due to strained situation, he could not conduct the case before the Principal District Judge, Pudukkottai and the case may be transferred to any one of the competent court at Pudukkottai.

3. The learned counsel for the first respondent/plaintiff has no objection for transferring the case.



4.Considering the facts and circumstances of the case and also considering the submissions made by both counsel, O.S.No. 57 of 2020 on the file of the Principal District Judge, Pudukkottai is withdrawn and transferred to the file of the Additional District Court - cum - Mahila Court, Pudukkottai, for disposal as per law. The Principal District Judge, Pudukkottai, is directed to transmit the papers to the Additional District Court - cum - Mahila Court, Pudukkottai, forthwith. The Additional District Court - cum - Mahila Court, Pudukkottai, is directed to dispose the suit on merits and in accordance with law as expeditiously as possible.

5.In fine, this petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To:

1. The Principal District Judge,  
Pudukkottai.
2. The Additional District Court - cum - Mahila Court,  
Pudukkottai.

Order made in  
**Tr.C.M.P. (MD) No.127 of 2021**  
**and**  
**C.M.P. (MD)No.2507 of 2021**

Dated:  
**15.04.2021**

MR(11.05.2021) 2P 3C