



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Tr.C.M.P. (MD) No.269 of 2021

and

C.M.P(MD) No.5662 of 2021

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1.P.Nagarajarajan
2.K.P.Siva
3.S.Ramakrishnan

... Petitioners / Defendants 1 to 3
Vs.

1.Kenan
2.S.Ramakrishnan

... 1st Respondent / Plaintiff
... 2nd Respondent / 3rd Defendant

(3rd petitioner is transposed as 2nd respondent
as per order of this Court, dated 15.09.2021.)

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 r/w.151 of the Code of Civil Procedure, to withdraw the case in O.S. No.22 of 2021 on the file of the Additional District Court, Palani and transfer the same to some other competent Court at Dindigul.

For Petitioners : Mr.C.M.Ganesan
For 1st Respondent : Mr.N.Mohan
For 2nd Respondent : Mr.T.Antony Arul Raj
(transposed as R2) for Mr.S.Parthasarathy

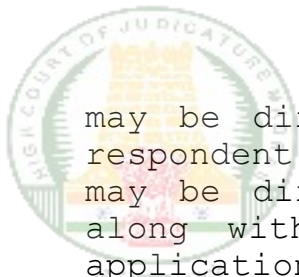
O R D E R

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the case in O.S. No.22 of 2021 on the file of the Additional District Court, Palani and transfer the same to some other competent Court at Dindigul.

2.The learned counsel for the Petitioners seeks permission of this Court to withdraw this Transfer Civil Miscellaneous Petition.

3.Mr.T.Antony Arul Raj, learned counsel representing on behalf of Mr.S.Parthasarathy, learned counsel would submit that his client, the third petitioner, namely, S.Ramakrishnan, who is the third defendant in the suit in O.S. No.22 of 2021, on the file of the Additional District Court, Palani, has not instructed anybody to file transfer application and that the transfer application has been filed without any instruction and the signature of his client has been forged and somebody has signed as S.Ramakrishnan and filed the transfer application before this Court.

4.The learned counsel would further submit that in the event of the liberty being granted to withdraw the petition, the Registry



may be directed to transpose the third petitioner as the second respondent in the Transfer Civil Miscellaneous Petition and Registry may be directed to issue certified copies of the entire bundles along with the copy of Vakalat, to the third petitioner, on application for copies being made.

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5.The learned counsel for the petitioner is permitted to withdraw the Transfer Civil Miscellaneous Petition. The Registry is directed to transpose the third petitioner as the second respondent in the Transfer Civil Miscellaneous Petition and the Registry is directed to issue certified copies of the entire bundle on proper application being made and on payment of necessary charges. Registry is also directed to keep the bundle in safe custody.

6.In the result, this Transfer Civil Miscellaneous Petition is dismissed as withdrawn. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The Additional District Court,
Palani

COPY TO:-

The Registrar (Judicial),
Madurai Bench of Madras High Court,
Madurai-23

Tr.C.M.P. (MD) No.269 of 2021
15.09.2021

GC(08.10.2021) 2P 3C