



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.12.2021

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

Tr.C.M.P. (MD) No.572 of 2021
and
C.M.P. (MD) No.10284 of 2021

D.Roja Manimehalai

.. Petitioner

-vs-

P.Marimuthu

.. Respondent

Prayer :- Petition filed under Section 24 of Code of Civil Procedure, to withdraw the above petition in H.M.O.P.No.18 of 2017 which is renumbered as O.P.No.103 of 2019 from the file of the learned Principal Sub Court, Tiruchirappalli District and to transfer the same to the file of the Subordinate Court, Lalgudi to be heard along with H.M.O.P.No. 29 of 2021.

For Petitioner : Mr.C.Abulkalamazad

ORDER

Though the petition is filed seeking transfer the case in H.M.O.P.No.18 of 2017 which has been subsequently renumbered as O.P.No.103 of 2019 from the file of the learned Principal Subordinate Judge, Tiruchirappalli, to the file of the learned Subordinate Judge, Lalgudi, to be heard along with H.M.O.P.No.29 of 2021, this Court finds that O.P.No.103 of 2019 at the stage of cross examination of P.W.1. Therefore, at this stage there is no necessity to transfer the said petition to the file of the Sub Court, Lalgudi. However, the learned counsel for the petitioner would point out that the petition in H.M.O.P.No.29 of 2021 is pending before the Sub Court, Lalgudi and the same is being adjourned for ex parte evidence since April 2021.

2.In these circumstances, the Transfer Civil Miscellaneous Petition is disposed of with a direction to the learned Subordinate Judge, Lalgudi to dispose of H.M.O.P.No.29 of 2021 within a period of one month from the date of receipt of a copy of



this order or on the date on which it is produced by the petitioner, if no application to set aside the ex parte order is filed.

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Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cp

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

1. The Principal Subordinate Judge,
Tiruchirappalli.

2.The Subordinate Judge,
Lalgudi.

+1 CC to M/s.C.ABULKALAMAZAD, Advocate (SR-37379[F] dated 06/12/2021)

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NSN (CO)
SB(17.12.2021) 2P 4C