



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2022

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

TR.C.M.P.NO.81 OF 2022

AND

C.M.P.NO.1609 OF 2022

G.Lakshmi Narayanan

... Petitioner

.Vs.

1. T.S.Vyasa Rao
2. N.Kuppannan
3. S.Gopalakrishnan
4. K.Navamani

... Respondents

PRAYER:-

Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw O.S.No.29 of 2017 pending on the file of the II Additional District Judge, Namakkal and transfer the same to District Court, Salem.

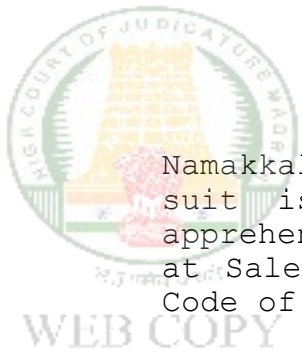
For Petitioner : Mr.T.Karunakaran

O R D E R

Transfer Civil Miscellaneous Petition is filed to transfer O.S.No.29 of 2017 from the II Additional District Judge at Namakkal to the District Court at Salem.

2. The only ground on which the transfer is sought for, is the apprehension that the petitioner/plaintiff may not be able to contest their suit before the learned II Additional District Judge at Namakkal since the third respondent is an Advocate practising in the Courts at Namakkal.

3. This application is filed only on the basis of a mere apprehension. No substantial arguments have been made regarding the same. The suit in question is one for partition and the properties subject matter of the suit are also situated at



Namakkal within the jurisdiction of the Court, in which, the suit is now pending. The petitioner on the basis of the apprehension seeks to have it transferred to the District Court at Salem which has no jurisdiction as per Section 16(b) of the Code of Civil Procedure.

4. Under these circumstances, I do not find any merits in this petition. This Transfer Civil Miscellaneous Petition is dismissed. However, there shall be a direction to the learned II Additional District Judge at Namakkal for an earlier disposal of the suit which is of the year 2017. The suit shall be disposed of on or before 31.08.2022. No cost. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The II Additional District Judge,
Namakkal.
2. The District Judge,
Salem.

+1cc to Mr.T.Karunakaran, Advocate, S.R.No.8797

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KK(CO)
PBS/24/03/2022