

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2022

CORAM :

THE HONOURABLE MS. JUSTICE R.N.MANJULA

TR.C.M.P. NO.192 OF 2022
AND C.M.P.NO.3888 OF 2022

T.Venkatesh

... Petitioner

..Vs..

Anjan Kumar Rajasekaran

... Respondent

Prayer:-

Petition is filed under Section 24 of C.P.C., to withdraw O.S.No.6322 of 2019 on the file of the learned XXI Additional City Civil Court, Allikulam, Chennai and to transfer the same to the file of the VI Additional City Civil Court, Chennai for joint trial along with O.S.No.6333 of 2019 and O.S.No.6334 of 2019.

For Petitioner : Mr.M.Selva Lingam
for M/s.T.Fenn Walter Associates

For Respondent : Mrs.V.Meenakshi Sundaram

O R D E R

This petition is filed to withdraw the O.S.No.6322 of 2019 on the file of the learned XXI Additional City Civil Court, Allikulam, Chennai and to transfer the same to the file of the VI Additional City Civil Court, Chennai to be tried along with O.S.No.6333 of 2019 and O.S.No.6334 of 2019.

2.Heard the learned counsel for the petitioner as well as the learned counsel for the respondent and perused the materials available on record.

3.The petitioner is the defendant in the suit filed by the respondent / plaintiff in O.S.No.6322 of 2019, which is pending on the file of the XXI Additional City Civil Court, Allikulam, Chennai. The said suit was filed for recovery of money. The

respondent/plaintiff's mother has filed a money suit in O.S.No.6333 of 2019 against the very same petitioner and another. The respondent/plaintiff has filed a yet another money suit in O.S.No.6334 of 2019. The suits in O.S.No.6333 and 6334 of 2019 are pending on the file of the VI Additional City Civil Court, Chennai. Since the parties are almost same and three suits have been filed against the very same defendant, it will be convenient for the parties, if the said suits are tried together in one Court.

4.The learned counsel for the petitioner submitted that the three suits have arisen out of one business transaction. If the suits are tried together, it will be convenient for the parties to adduce evidence.

5.The learned counsel for the respondent/plaintiff did not raise any serious objections, since the trial has not been commenced in the other suit.

6.Since the said suits are tried together in one Court, it will not cause any prejudice to the interest of other parties and it will only be convenient for them.

7.Accordingly, the Transfer Civil Miscellaneous Petition is allowed. The suit in O.S.No.6322 of 2019 is ordered to be withdrawn from the file of the learned XXI Additional City Civil Court, Allikulam, Chennai and transferred to the file of the VI Additional City Civil Court, Chennai to be tried along with O.S.No.6333 of 2019 and O.S.No.6334 of 2019. The learned XXI Additional Judge, City Civil Court, Allikulam, Chennai, is directed to transmit all the records pertaining to O.S.No.6322 of 2019 to the file of the VI Additional City Civil Court, Chennai, within a period of two weeks from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vkr

To

1. The XXI Additional Judge, City Civil Court,
Allikulam, Chennai.
2. The VI Additional Judge, City Civil Court, Chennai

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and C.M.P.No.3888 of 2022

PMK(CO)
PM/13/07/2022