



WEB COPY



A.No.3787 of 2022
in
TOS No.11 of 2021

KRISHNAN RAMASAMY, J.,

This application has been filed to withdraw and transfer O.S.No.4896 of 2021 pending on the file of XXII Assistant City Civil Court at Chennai to this Court to be tried along with the present TOS.No.11 of 2021.

2.The suit in O.S.No.4896 of 2021 filed before XXII Assistant City Civil Court at Chennai, is for the purpose of declaration of legal heirs. The Original Petition is filed for grant of Letters of Administration and the said Original Petition is converted as TOS as per the direction of this Court dated 12.02.2021. Therefore, since the subject matter in both the suit and TOS and the parties are one and the same, the learned counsel for the applicant seeks transfer of the suit pending on the file of the XXII Asst.City Civil Court, Chennai to the file of this Court and to be tried along with TOS.



KRISHNAN RAMASAMY, J.

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3.Heard both sides.

4.The learned counsel for the respondents submitted that the respondent has no objection for allowing the present application.

5. In view of the above submission and considering the fact that both the parties and also the subject matters in both OS and TOS, are one and the same, this Court is of the view that the matters are required to be heard together in order to avoid multiplicity of proceedings and conflicting orders.

6.Accordingly, this application is allowed.

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02.09.2022

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