



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2022

CORAM:

THE HON'BLE Ms.JUSTICE R.N.MANJULA

Tr.C.M.P.No.402 of 2022
and
C.M.P.No.8001 of 2022

1.Mrs.J.P.Kasthoori

2.Mr.J.Prakash

...Petitioners

Vs.

Mr.V.Murugavel

...Respondent

PRAYER : This petition filed under Section 24 of CPC, to withdraw the O.S.No.140 of 2017, pending on the file of the Hon'ble Principal Subordinate Judge, Ranipet and transfer the same to the Principal Subordinate Judge, Tiruvannamalai.

For Petitioners : Mr.P.G.Thiyagu

O R D E R

This transfer civil miscellaneous petition has been preferred to withdraw the O.S.No.140 of 2017, pending on the file of the Hon'ble Principal Subordinate Judge, Ranipet and transfer the same to the Principal Subordinate Judge, Tiruvannamalai.

2. Heard the learned counsel for the petitioners.

3. The petitioners are the defendants in the suit. The suit has been filed by the respondent / plaintiff for recovery of money.

4. The learned counsel for the petitioners submitted that the first petitioner is a Diabetic Patient and it is not possible for her to travel more than 250 kms from Tiruvannamalai to Ranipet and hence, the suit may be transferred to the file of the Principal Sub Judge, Tiruvannamalai.

5. It is seen that the first petitioner has entered appearance in the suit through her counsel and the suit has been pending from the year 2017. Now, it is ripe for trial. Unlike



criminal proceedings, the parties to the suit need not have any necessity to appear before the Court for each and every hearing except for the purpose of examination during the trial. The first petitioner is working as a teacher in Girl's High School, Tiruvannamalai District, despite her alleged ailment. Under such circumstances, her personal appearance for the purpose of trial, cannot be dispensed.

6. Accordingly, this transfer civil miscellaneous petition stands dismissed with a direction to the Trial Court to dispose of the suit as expeditiously as possible. No costs. Consequently, connected civil miscellaneous petition is also closed.

Sd/-
Assistant Registrar (CS-VII)

// True Copy //

Sub Assistant Registrar

gsk

To

1.The Principal Subordinate Judge,
Ranipet.

2.The Principal Subordinate Judge,
Tiruvannamalai.

+1cc to Mr.P.G.Thiyagu, Advocate Sr.No.32623

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SR-II (CO)
RVM(22/06/2022)