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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TR.CMP No.683 of 2021

and

C.M.P.No.17040 of 2021

A.Chan Basha

...Petitioner

Vs

B.Sardar

...Respondent

Prayer : Transfer Civil Miscellaneous Petition under Section 24 of C.P.C., to withdraw and transfer O.S.No.353 of 2004 from the file of District Munsif-cum-Judicial Magistrate, Chengam to any other Court in the nearby district.

For Petitioner : Mr.PA.Sudesh Kumar

For Respondent : No appearance

O R D E R

Despite service, the respondent is not appearing either in person or through counsel duly instructed.

2. The petitioner seeks transfer of the suit in O.S.No.353 of 2004 on the file of the learned District Munsif-cum-Judicial Magistrate, Chengam to any other Court in the nearby district. The transfer is sought for mainly on the ground that the petitioner is a practicing advocate in the very same Court and the respondent has been making wild allegations against the petitioner as well as against the Court. It is also stated that it may be embarrassing for the petitioner to conduct trial in the very same Court where he is practicing regularly.

3. Considering the above fact that the respondent has not evinced interest in opposing the prayer for transfer, the suit in O.S.No.353 of 2004 is withdrawn from the file of the District Munsif-cum-Judicial Magistrate, Chengam and transferred to the file of Principal District Judge, Tirupattur to be disposed of in accordance with law.



4. Accordingly, the Tr.C.M.P., is allowed. No costs.
Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar (CS-IV)

// True Copy //

Sub Assistant Registrar

KST

To

- 1.The District Munsif-cum-Judicial Magistrate,
Chengam.
- 2.The Principal District Judge,
Tirupattur.

TR.CMP No.683 of 2021
and CMP No.17040 of 2021

PMK (CO)
RVM(16/02/2022)