



WEB COPY



Rev.Aplw.No.257 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 21.12.2022

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

Rev.Aplw.No.257 of 2022

and

C.M.P.No.22336 of 2022

1.Park Trust

A Public Charitable Trust

Represented by its Managing Trustee,

Dr.P.V.Ravi,

having registered office at

Old No.21, New No.36,

K.P.N. Colony 1st Street,

Tirupur – 641 601.

2.Dr.P.V.Ravi

3.Mr.T.R.Karthik

... Petitioners

Vs.

1.Mr.K.Manoharan

2. Ms.R.Anusha

... Respondents

Prayer: Review application filed under Order 47 Rule 1 read with Section 114 of the Civil Procedure Code, 1908, to review the order dated 06.12.2022 passed in Tr.C.M.P.No.288 of 2022.



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For Petitioners : Mr.S.Ravindran
Senior Counsel
For Mr.V.Vignesh

For R1 : Mr.S.Mukunth
For M/s.Sarvabhauman Associates

ORDER

The revision petition is filed to review the order dated 06.12.2022 passed in Tr.CMP.No.288 of 2022.

2. The petitioner filed the Transfer Civil Miscellaneous Petition to withdraw the proceedings in O.S.No.45 of 2021 pending on the file of the Principal District Court, Tiruppur and transfer the same in any other Additional District Court, Tiruppur. Since the transfer was sought for within the District, this Court granted liberty to the review petitioner to approach the District Court concerned for the purpose of transfer of the Suit from one Court to another Court in the same District.

3. Regarding the Transfer Petition, if transfer of cases is sought for from one District to another District, the High Court has to exercise the



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jurisdiction. In respect of the Transfer Petition filed to transfer the cases within the same District, the Principal District Judge concerned is competent to consider the petition.

4. This Court has already granted liberty to the petitioner to file an appropriate petition before the Principal District Court concerned. The observations made in the order passed by this Court would not be a bar for the petitioner to file such a transfer petition before the District Court, which is to be considered on merits and in accordance with law.

5. Thus, this Court do not find any acceptable ground for the purpose of reviewing the order and consequently, this Review Petition stands dismissed. Consequently, the connected Miscellaneous Petition is closed. No costs.

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Index: Yes

Speaking order



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S.M.SUBRAMANIAM, J.

skr

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