



Tr.C.M.P. No.276 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2023

CORAM :

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

Tr.C.M.P. No.276 of 2023

and

C.M.P.No.5984 of 2023

Jayachitra,
W/o. Sundar

.... Petitioner

-Vs-

1. M. Gunasekaran,
S/o. Manikavel

2. M.Suseela,
W/o. Manickavel

3. Varadharajan,
S/o. Manickavel

4. Lakshmi,
W/o. Perumal

5. The Tahsildar,
Taluk Office,
Vandavasi Taluk Office,
Thiruvannamalai Dt.

6. The Village Administrative Officer,
Arasur Village,
Vandavasi Taluk,
Thiruvannamalai Dt.



Tr.C.M.P. No.276 of 2021

7. The Sub-Registrar,
Sub-Registrar Office,
Vandavasi, Thiruvannamalai Dt.

.... Respondents

Prayer : Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw the suit in O.S.No.31 of 2016 pending on the file of the District Munsif Court, Vandhavasi to District Munsif Court, Tambaram.

For Petitioner : Mr.R.Gokulakrishnan

ORDER

The petitioner/1st defendant seeks transfer of the suit in O.S.No. 31 of 2016 pending on the file of District Munsif Court, Vandhavasi to District Munsif Court, Tambaram. She is aged about 45 years and she is one of the defendant in the suit. But, the plaintiff is aged about 77 years and he is residing at Vandhavasi Taluk, Thiruvannamalai District and he has filed a suit in O.S.No.31 of 2016 seeking for permanent injunction and other consequential relief.

2. Earlier, this Court by an order dated 03.09.2018 already directed the trial court to commence the trial and dispose the suit within a period of six months in the year of 2018. Now, the trial was begin and at this stage, the Revision Petitioner/3rd defendant filed this petition to transfer the suit for the reason that as her husband undergone surgery, his movement was



Tr.C.M.P. No.276 of 2023

restricted and she has to take care of him and her children. It is further stated that now she is aged about 45 years, she could not travel from Tambaram to Vandhavasi, which is a distance of 200 km. up and down. Hence, she wanted to transfer the suit to the District Munsif Court, Tambaram.

3. Considering the facts and circumstances and also the fact that the reason assigned by the Revision Petitioner seems to be unjustifiable one and also it is not acceptable one to transfer the matter. Accordingly, this Transfer Civil Miscellaneous Petition is dismissed. However, the trial court is directed to complete the trial and dispose the case within a period of four months from the date of receipt of copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

24.03.2023

Index : Yes/No
Internet : Yes/No
rpp
To

The District Judge, Vandhavasi.



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Tr.C.M.P. No.276 of 2023

T.V.THAMILSELVI, J.

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Tr.C.M.P. No.276 of 2023

24.03.2023