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Tr.C.M.P. No.310 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.06.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

Tr.C.M.P.No.310 of 2023

and

C.M.P. No.6914 of 2023

Sathya

.. Petitioner

Vs.

Periyasamy (Died)

1.Angathal

2. Venkatachalam

3.Jayakodi

.. Respondents

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, praying to order withdrawal of the execution petition in E.P. No.42 of 2017 from the file of Subordinate Judge of Dharapuar and to transfer the same to some other sub-Court of Tiruppur with a direction to try the same.

For Petitioner :Mr.C.Deivasigamani

For Respondents :Mrs.R.Shasi

for Mr.M.Guruprasad



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ORDER

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This petition is filed seeking to withdraw and transfer E.P.No.42 of 2017 from the file of Subordinate Court, Dharapuar and transfer the same to some other Court at Tiruppur.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

3. During the pendency of this petition, this Court had directed the concerned Subordinate Judge, Dharapuar to send a report in respect of the proceedings in E.P. No.42 of 2017. The learned Subordinate Judge, Dharapuar has sent a report dated 14.06.2023 stating that the delivery of possession has already been effected on 01.04.2023 by the process of the Court and the entire execution proceedings was terminated on 11.04.2023.

4. Since the Execution proceeding had already been terminated, the prayer sought for transfer of the proceedings in E.P. No.42 of 2017 does not survive, therefore this Civil Revision Petition has become infructuous.



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5. Accordingly, this Civil Revision Petition is dismissed as infructuous. No costs. Consequently, the connected miscellaneous petition is closed

15.06.2023

dsa

Index : Yes/ No

Internet : Yes/ No

Neutral Citation : Yes/ No

Speaking Order/ Non-Speaking Order

To

1. The Subordinate Judge of Dharapuram

2. The Sub- Judge, Tiruppur.



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Dr.D.NAGARJUN,J.

dsa

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