



Tr. CMP. No. 1194 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2023

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

TR. CMP No. 1194 of 2023
& CMP No. 28634 of 2023

1.V.Sundararaj
2.R.Subburathinam

...Petitioners

Vs.

S.Govindaraj

....Respondent

PRAYER : This petition filed under Section 24 of CPC, to withdraw the case in O.S No. 508 of 2023 on the file of the II Additional District and Sessions Court, Tiruppur. and transfer the same to the District Court, Coimbatore.

For Petitioners : Ms.J.Madhumitha

For Respondent : Mr.B.Anandan



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ORDER

This petition has been filed to withdraw the case in O.S No. 508 of 2023 on the file of the II Additional District and Sessions Court, Tiruppur. and transfer the same to the District Court, Coimbatore.

2. The learned counsel for the petitioner submits that the petitioners have filed a Memo for requesting the Trial Judge to refer the main suit in O.S No. 508 of 2023 before the lok adalat for recording settlement. But the Trial judge directed the petitioners to file all the original documents regarding the suit properties and the petitioners also filed 18 original documents, the same were duly received but the Trial Judge not willing to refer before Lok Adalat and proceed the trial. Thereafter, the petitioners filed the Interlocutory application for recording the compromise but the Trial judge refused to receive the same. Further, amicable partition of the suit properties was delayed. Hence, the petitioners filed this petition.

3. On seeing the facts of the case, in the past, this Court has seen lot of cases wherein the cases were referred to the lok adalat and settled without impleading necessary parties. Hence, this court is not inclined to allow this petition.



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4. In the result, this petition is dismissed. No Costs. Consequentially,

connected miscellaneous petition is closed.

21.12.2023

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To

1. The II Additional District and Sessions Court, Tiruppur.
2. The Sub Court, Pollachi.
3. The Section officer,
V.R Section, High Court, Madras.



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T.V.THAMILSELVI,J.

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