



Tr.C.M.P(MD)No.189 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.02.2023**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Tr.C.M.P(MD)No.189 of 2022

and

C.M.P(MD)No.3403 of 2022

Manivannan ... Petitioner/ Appellant
Vs.

T.R.Metha ... Respondent/ Respondent

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the case in C.M.A.No.10 of 2021 on the file of the III Additional District Judge, Tiruchirappalli and transfer the same to any other Court in Trichy District as deem fit by this Court.

For Petitioner : Mr.G.Karnan
For Respondent : Mr.T.Leninkumar

ORDER

The present transfer civil miscellaneous petitioner has been filed by the appellant in C.M.A.No.10 of 2021 seeking to transfer the same to some other Court in Trichy District from the file of III Additional District Court, Tiruchirappalli.

2. A perusal of the averments indicates that the petitioner has expressed some inability to argue the case without taking any action for



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perjury. When the matter was posted for arguments, the petitioner has filed I.A.No.2 of 2022 under Section 340 of the Code of Civil Procedure for perjury as against his father-in-law and the learned counsel appearing for his wife on the allegation that his wife has not signed in the vakalat. The learned III Additional District Munsif, Tiruchirappalli, has examined the wife in person and he has arrived at a satisfaction that his wife has filed the vakalat. Therefore, I.A.No.2 of 2022 has been dismissed. The petitioner has got some apprehension to argue the appeal before the same Judge, who has dismissed I.A.No.2 of 2022. However, the allegations made as against the concerned Judicial Officer are not legally acceptable and there is no substance in the same. Any how, in the interest of justice, C.M.A.No.10 of 2021 pending on the file of the III Additional District Court, Tiruchirappalli, is hereby transferred to the I Additional District Court, Tiruchirappalli, to be disposed of on or before **31.04.2023**.

3. With the above observation, the Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

20.02.2023

NCC : Yes / No
Index : Yes / No
Rmk



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To

- 1.The III Additional District Judge, Tiruchirappalli.
- 2.The I Additional District Judge, Tiruchirappali.
- 3.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR ,J.

Rmk

Order made in
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20.02.2023