



Tr.C.M.P.(MD) No.365 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.07.2023

CORAM

THE HON'BLE **MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI**

Tr.C.M.P.(MD) No.365 of 2023

and

C.M.P(MD) No.7792 of 2023

S.Saravanan

... Petitioner

Vs.

1.B.Raju

2.R.Asha

3.Rajammal

4.S.Murugan

5.The Sub-Registrar,
Kodaikanal,
Dindigul District.

6.The District Collector,
Collectorate,
Dindigul District.

... Respondents

Prayer:- Transfer Civil Miscellaneous Petition filed under Section 24 r/w. 151 of the Code of Civil Procedure, 1908, to withdraw the case in O.S.No.40 of 2023 on the file of the District Munsif Court, Kodaikanal, Dindigul District



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and transfer the same to the file of the Additional District Munsif Court, Dindigul, Dindigul District or any other competent civil court.

For Petitioner : Mr.P.Gunasekaran

ORDER

This Transfer Civil Miscellaneous Petition is filed by the petitioner who is the third defendant in O.S.No.40 of 2023, to withdraw the suit in O.S.No.40 of 2023 from the file of the District Munsif Court, Kodaikanal, Dindigul District and transfer the same to the file of the Additional District Munsif Court, Dindigul, Dindigul District or any other competent Civil Court.

2. The petitioner seeks for transfer of the case from the District Munsif Court, Kodaikanal to the Additional District Munsif Court, Dindigul which is in the same District. Though the Principal District Court and the High Court have concurrent jurisdiction, the petitioner has directly approached this Court without exhausting his remedy before the Principal District Court, Dindigul.

3. Therefore, the petitioner is directed to file appropriate petition before the Principal District Court, Dindigul for the said relief.



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4. If such application is filed, the Principal District Court, Dindigul shall dispose of the application, on merits, expeditiously, within a period of two months thereafter.

5. This Transfer Civil Miscellaneous Petition is dismissed with the observations. No cost. Consequently, connected Miscellaneous Petition is closed.

17.07.2023

NCC :Yes/No
Internet: Yes/No
Index: Yes/ No
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To

- 1.The District Munsif Court,
Kodaikanal, Dindigul District.
- 2.The Principal District Court,
Dindigul District.
- 3.The Sub-Registrar,
Kodaikanal,
Dindigul District.
- 4.The District Collector,
Collectorate,
Dindigul District.



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K.GOVINDARAJAN THILAKAVADI, J.

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