



TR.C.M.P.(MD) Nos.724 of 2022 & 221 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2023

CORAM

THE HONOURABLE **MR.JUSTICE C.SARAVANAN**

TR.C.M.P.(MD) Nos.724 of 2022 & 221 of 2023

and

C.M.P.(MD) Nos.11484 of 2022 & 4756 of 2023

1.Rajathi

2.Saraswathi

... Petitioners in
both TR.C.M.Ps.

Vs.

1.Kathirvel

... 1st Respondent in
TR.C.M.P.(MD)No.724/22
& 3rd Respondent in
TR.C.M.P.(MD)No.221/23

2.Sakthi

... 1st Respondent in
TR.C.M.P.(MD)No.221/23

3.A.P.Kandasamy

... 2nd Respondent in
both Tr.C.M.Ps.

4.Kannan

5.The Tahsildar,
Madurai West Taluk,
Madurai District,
Office at Madurai – Theni Road,
Virattipathu
Madurai District.



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6.The Revenue Divisional Officer,
Madurai Revenue Division,
Office at Collectorate Buildings,
Gandhi Nagar,
Madurai – 625 020.

7.The State of Tamil Nadu
Represented through its
District Collector, Madurai
Office at Collectorate Buildings,
Gandhi Nagar,
Madurai – 625 020.

... 3rd to 6th Respondents in
TR.C.M.P.(MD)No.724/22

Transfer Civil Miscellaneous Petitions filed under Section 24 r/w.
Section 151 of the Code of Civil Procedure, 1908, to withdraw O.S.No.71
of 2022 and O.S.No.84 of 2017 from the Additional District Munsif
Court, Thirumangalam and transfer the same to the Sub Court,
Thirumangalam to be tried along with O.S.No.232 of 2022.

For Petitioners
in both Tr.C.M.Ps. : Mr.R.G.Shankar Ganesh

For R1 to R3
in TR.C.M.P.(MD)No.221/23
& For R1 & R2
in TR.C.M.P.(MD)No.724/22 : Mr.G.Sakthi Rao

For R3
in TR.C.M.P.(MD)No.724/22 : No appearance

For R4 to R6
in TR.C.M.P.(MD)No.724/22 : Mr.S.Kameswaran
Government Advocate



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COMMON ORDER

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2. These Transfer Civil Miscellaneous Petitions have been filed to transfer O.S.No.71 of 2022 and O.S.No.84 of 2017 from the Additional District Munsif Court, Thirumangalam to the Sub Court, Thirumangalam for being tried along with O.S.No.232 of 2022.

3. O.S.No.84 of 2017 was filed by the first petitioner before the District Munsif Court, Thirumangalam. O.S.No.71 of 2022 was filed by one M.Kathirvel, the first respondent in TR.C.M.P.(MD)No.724 of 2022 and the third respondent in TR.C.M.P.(MD)No.221 of 2023 and P.Kandasamy, the second respondent in both Transfer Civil Miscellaneous Petitions. O.S.No.232 of 2022 was filed by the second petitioner.

4. It is submitted that all three above suits pertain to the same property and each of them prays for declaration and injunction against each other.



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5. Considering the above, I am inclined to allow these Transfer Civil Miscellaneous Petitions. Both O.S.No.71 of 2022 and O.S.No.84 of 2017 are directed to be transferred from the Additional District Munsif Court, Thirumangalam to the Sub Court, Thirumangalam for being tried along with O.S.No.232 of 2022 filed by the second petitioner.

6. The Sub Court, Thirumangalam shall dispose of all three suits jointly, as expeditiously as possible, preferably, within a period of 9 months from the date of receipt of a copy of this order.

7. Accordingly, these Transfer Civil Miscellaneous Petitions are allowed. No cost. Consequently, connected Miscellaneous Petitions are closed.

19.06.2023

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

1. The Additional District Munsif Court,
Thirumangalam.
2. The Sub Court, Thirumangalam.
3. The Tahsildar,
Madurai West Taluk,
Madurai District,
Office at Madurai – Theni Road,
Virattipathu
Madurai District.
4. The Revenue Divisional Officer,
Madurai Revenue Division,
Office at Collectorate Buildings,
Gandhi Nagar,
Madurai – 625 020.
5. The District Collector, Madurai,
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C.SARAVANAN, J.

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