



Tr.C.M.P.(MD)No.630 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.10.2023

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Tr.C.M.P.(MD)No.630 of 2023

and

C.M.P.(MD)No.14035 of 2023

Shanmugam

... Petitioner

Vs.

1. Selavnathan

2. Thanabakiyam

3. Rajendran

4. Raman

5. Danapal

6. Rajarajan

... Respondents

Prayer : This Transfer Civil Miscellaneous Petition filed under Section 24 C.P.C., to withdraw the O.S.No.13 of 2017 on the file of the District Munsif Court, Thirumayam and transfer the same to the file of Principal District Munsif Court, Pudukottai or any other Court.

For Petitioner : Mr.B.Azhagesh



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ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw the suit on the file of the District Munsif Court, Thirumayam, in O.S.No.13 of 2017 and transfer the same to the Principal District Munsif Court, Pudukottai or any other Court.

2. Admittedly, the District Munsif Court, Thirumayam comes under the jurisdiction of the Principal District Court, Pudukottai.

3. Section 24(3) of C.P.C., says that for the purposes of this section, Courts of Additional and Assistant Judges shall be deemed to be subordinate to the District Court. The petitioner, without approaching the Principal District Court, has directly filed the above Transfer Civil Miscellaneous Petition before this Court. Hence, this Court is not inclined to entertain the same and the petitioner is at liberty to approach the Principal District Court at the first instance.



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4. In view of the above, the Transfer Civil Miscellaneous Petition is dismissed. Consequently, connected Miscellaneous Petition is closed. No costs.

17.10.2023

NCC :yes/No
Index :yes/No
Internet:yes/No
csm

To

1. The District Munsif Court,
Thirumayam.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
Tr.C.M.P.(MD)No.630 of 2023
and
C.M.P.(MD)No.14035 of 2023

Dated : 17.10.2023