



A.No.998 of 2024

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in C.S.No.720 of 2019

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N.SATHISH KUMAR, J.

This application has been filed seeking to withdraw the suits in O.S.Nos.5917 & 5918 of 2023 pending on the file of XXIII Assistant City Civil Court at Chennai and transfer the same into the file of this Court to be heard along with the present suit.

2. This Court, by order dated 23.02.2024, permitted the Advocate Commissioner to complete the evidence of the plaintiff on or before 18.03.2024, since, she is aged about 85 years. Now, it is admitted by both side that the examination of the plaintiff is completed on 09.03.2023. Advocate Commissioner has also filed a report along with the evidence of the P.W.1/plaintiff.

3. Such view of the matter, the suit itself is primarily relating to the settlement deed. If both suits are allowed to continue in different forums it will lead to conflicting judgments. The parties are one and the same and the issue is also similar. Thus, this Court is of the view that the suits in



A.No.998 of 2024

O.S.Nos.5917 & 5918 of 2023 pending on the file of XXIII Assistant City Civil Court at Chennai be transferred before this Court to try along with the present suit. The respondent expressed no objection in allowing this application.

4. Accordingly the suits in O.S.Nos.5917 & 5918 of 2023 is withdrawn from the file of XXIII Assistant City Civil Court at Chennai and transferred to this Court. Registry is directed to call for the records in the above suits from the XXIII Assistant City Civil Court at Chennai within a period of one week from the date of receipt of a copy of this order. After receipt of the original records, the Registry is directed to list the suits before this Court.

5. These applications are ordered, accordingly.

18.03.2024

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