



WEB COPY



Tr.CMP No.450 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2024

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

TR.CMP No.450 of 2024
and CMP No.9280 of 2024

Arokkiyaraj

.... Petitioner

-Vs-

1.Arokkiyaraj
2.Jerry Anand
3.Minor Joy Wilson
rep.by Guardian Mother
Arockiasundari

.... Respondents

Prayer : Transfer Civil Miscellaneous Petition under Section 24 of C.P.C., to withdraw the Execution Petition in E.P.No.53 of 2023 in O.S.No.10 of 2011 on the file of the Principal District and Sessions Judge's Court, Ariyalur and transfer the same to the Principal District and Sessions Court, Cuddalore.

For Petitioner : Mr.T.Sivagnanasambandan
For Respondent : Mr.T.Devaraj - for R1
R2 and R3 - No appearance

ORDER

This Transfer Petition is yet another attempt by an unsuccessful judgment debtor to ensure that the proceedings in execution of the decree are not proceeded with.

2. The petitioner is the defendant in O.S.No.10 of 2011 on the file of the Principal District Judge at Perambalur. Subsequently, the suit stood transferred to the



Tr.CMP No.450 of 2023

file of the Principal District Judge at Ariyalur and the suit was decreed on 28.09.2012.

An appeal before this Court in A.S.No.194 of 2013 was also unsuccessful. It was dismissed on 18.03.2021. Subsequently, the respondent / decree holder has presented E.P.No.20 of 2021 for execution of the sale deed. It also transpires that the sale deed has been executed. Subsequently he has initiated an execution petition for delivery of possession in E.P.No.53 of 2023. The judgment debtor wants this proceedings to be transferred out of the Court in Ariyalur to the Court of Principal District and Sessions Judge at Cuddalore.

3. I have gone through the affidavit in the petition. There is absolutely no reason why the proceedings should be transferred out of Ariyalur. There is no allegation made against the judicial officer nor is any inconvenience pleaded by the judgment debtor. The affidavit is bereft of any reasons.

4. Hence, I do not find any reasons to entertain the transfer petition. The Tr.C.M.P. is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

13.09.2024

Index : Yes/No
Neutral Citation : Yes/No
KST

To

The Principal District and Sessions Judge, Ariyalur.



WEB COPY



Tr.CMP No.450 of 2024

V. LAKSHMINARAYANAN, J.

KST

TR.CMP No.450 of 2024

13.09.2024