



WEB COPY



Transfer C.M.P.No.567 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.08.2024

Coram

THE HON'BLE MR JUSTICE V. LAKSHMINARAYANAN

Transfer C.M.P No.567 of 2024

1. H.Vijayalakshmi
 2. Prasuna Hemanth Raj
 3. Dhanya Hemanth Raj
- ... Petitioner

-Versus-

1. The District Collector,
O/o.Chennai District Collectorate,
Singaravelar Maligai, Fourth Floor,
62, Rajaji Salai, Chennai – 600 001.
 2. The Managing Director,
Tamilnadu Transmission Corporation Ltd.,
[TANTRANSCO], 144, Anna Salai, Chennai – 600 002.
 3. The Superintending Engineer/GCC-II,
230 KV CMRL GIS SS, TANTRANSCO,
Alandur, Chennai – 600 016.
- ... Respondents

Transfer civil miscellaneous petition filed under Section 24 of the Code of Civil Procedure to withdraw O.P.No.116 of 2024 pending on the file of the Principal District Court, Chengalpet and transfer the same to the file of the Principal Judge, City Civil Court, Chennai.



WEB COPY



Transfer C.M.P.No.567 of 2024

For Petitioner : Mr.Duraikkan S.Philip

For Respondents : Mr.C.Sathish,
Government Advocate – R1

Ms.V.Rani
for M.Sneha, Standing Counsel – R1&2

ORDER

The present civil miscellaneous petitioners seek for transfer of O.P.No.116 of 2024 from the file of the Principal District Court, Chengalpet to the file of the Principal City Civil Court Chennai.

2. The petitioners are the claimants of the property situated in Survey No.408/1A1C of Chemmanchery Village, Sholinganallur Taluk, then Kanchipuram District, now said to be within the District of Chennai. The second respondent, TRANTRANSCO, required the property for the purpose of drawing high tension lines over the subject matter of the land. The first respondent fixed a compensation at Rs.98,26,488/-. Feeling aggrieved by the amount fixed, the land owners/transfer miscellaneous petitioners have invoked section 16[3] of the Indian Telegraph Act, 1885. As the property is situated within the jurisdiction of Chengalpet Court, the Original Petition was presented



Transfer C.M.P.No.567 of 2024

before the learned Principal District Judge, Chengalpet. Noticing that the compensation has been fixed by the District Collector, at Chennai, this transfer petition has been presented.

3. Heard Mr.Duraikkan S.Philip for the petitioner, Mr.C.Sathish, learned Government Advocate for the first respondent and Ms.V.Rani representing Ms.Sneha for the second and third respondents.

4. It is not in dispute that the Order has been passed by the District Collector at Chennai. Therefore, all the records which would be necessary for perusal of the Court to pass a judgment in O.P.No.116 of 2024 are available within the jurisdiction of Chennai. A perusal of the cause title shows that the petitioners are also residents of Chennai. Therefore, if the proceedings are transferred from the Principal District Court, Chengalpet to the Principal City Civil Court at Chennai, it would enable expeditious disposal of the proceedings. If the proceedings were to be continued in the Principal District Court, Chengalpet, it might take time for the records to reach from Chennai to Chengalpet. Apart from this, the first respondent as well as the TRANTRANSCO can be effectively represented by their Government Advocate



Transfer C.M.P.No.567 of 2024

and Standing Counsel within the city of Chennai. Therefore, no prejudice would be caused to any of the respondents, if the transfer is Ordered.

5. Consequently, O.P.No.116 of 2024 now pending on the file of the Principal District Court, Chengalpet is withdrawn and transferred to the Principal City Civil Court, Chennai.

6. With the above direction, this Transfer Civil Miscellaneous Petition is allowed. No costs.

20.08.2024

vrc

Index : yes / no
Neutral Citation : yes / no
Speaking / Non Speaking Order

To,

1. The Principal Judge, City Civil Court, Chennai.
2. The Principal District Judge, Chengalpet.



WEB COPY



Transfer C.M.P.No.567 of 2024

V.LAKSHMINARAYANAN, J.

VTC

Transfer C.M.P.No.567 of 2024

20.08.2024