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Tr.C.M.P.Nos.711 & 712 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.C.M.P.No.711 of 2023
and C.M.P.No.17298 of 2023

1.S.Bhavani
2.K.Bargavi Devi
3.K.Jai Ganesh

... Petitioners in
both the Tr.C.M.P's.

Vs.

J.Sunil Kumar

... Respondent
in Tr.C.M.P.No.711 of 2023

J.Dhilip Kumar

... Respondent
in Tr.C.M.P.No.712 of 2023

PRAYER in Tr.C.M.P.No.711 of 2023: The Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, to withdraw O.S.No.27 of 2023 pending in the court of the learned Additional Judge (Fast Track Court) at Arny, Tiruvannamalai District and transfer the same to the file of the Hon'ble II Additional City Civil Court at Chennai to be tried along with O.S.No.3417 of 2023 pending on the file of the Hon'ble II Additional City Civil Court at Chennai.

PRAYER in Tr.C.M.P.No.712 of 2023: The Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, to withdraw



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O.S.No.28 of 2023 pending in the court of the learned Additional Judge (Fast Track Court) at Arny, Tiruvannamalai District and transfer the same to the file of the Hon'ble II Additional City Civil Court at Chennai to be tried along with O.S.No.3416 of 2023 pending on the file of the Hon'ble II Additional City Civil Court at Chennai.

In both the Petitions:-

For the Petitioners : Mr.S.D.Venkateswaran

For the Respondents : Mr.S.Salai Geethan

COMMON ORDER

The Transfer Civil Miscellaneous Petitions have been filed to withdraw the O.S.Nos.27 and 28 of 2023 pending on the court of the Additional Judge (Fast Track Court) at Arny, Tiruvannamalai District and transfer the same to the file of the II Additional City Civil Court at Chennai, to be tried along with O.S.Nos.3416 and 3417 of 2023 pending on the file of the II Additional City Civil Court at Chennai.

2. The defendants in O.S.Nos.27 and 28 of 2023 on the file of the court of the Additional Judge, at Arni, Tiruvannamalai, are the transfer petitioners. Between the very same parties, money suits are pending in



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O.S.Nos.3416 and 3417 of 2023 before the II Additional City Civil Court, Chennai. The defendants in both the suits seek combined trial. They would state that the suit property was mortgaged within the jurisdiction of the City Civil Court, Chennai.

3. Notice was ordered in the petitions and the respondents have entered appearance through Mr.Salai Geethan. He states that he has no objection for the suits being transferred to the file of the II Additional City Civil Court, Chennai.

4. I have gone through the complaints in all the cases. The defendants in all the cases are one and the same. Furthermore, the property is situated within the jurisdiction of the City Civil Court, Chennai. In order to avoid conflict of Judgments and in the light of the no objection tendered by the learned counsel for the respondents/plaintiffs, the suits in O.S.Nos.27 and 28 of 2023 pending in the court of the Additional Judge (Fast Track Court) at Arany, Tiruvannamalai District, are withdrawn and transferred to the file of the II Additional City Civil Court, Chennai, to be heard and disposed of along with O.S.Nos.3416 and 3417 of 2023.



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5. Accordingly, the Transfer Civil Miscellaneous Petitions stand allowed. No costs. Consequently, the connected Civil Miscellaneous Petitions are closed.

15.07.2024

Index : Yes/No

Neutral Citation : Yes/No

Speaking order / Non-speaking order

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To

1.The Additional Judge (Fast Track Court),
Arni, Tiruvannamalai District.

2.The II Additional Judge,
II Additional City Civil Court, Chennai,



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V.LAKSHMINARAYANAN, J.

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