



Tr.C.M.P.No.1250 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.03.2024

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Tr.C.M.P.No.1250 of 2022

Mrs.R.Aniteen Princey

..Petitioner/Plaintiff

Vs

- 1.R.Aneter Allwyn
- 2.P.Daphini Suganya
- 3.Minor A.Abroan
4. Minor A.Aron
- 5.Brickson Alexander
- 6.Nirmala Brixton

7.The Chief Manager
State Bank of India
Ramaputhoor, Nagercoil

8.The Sub Registrar
Rajakkamangalam
Agastheewaram Taluk
Kanyakumari District

9.The District Registrar
Nagercoil, Kanyakumari District

10.The District Collector
Nagercoil, Kanyakumari District. ... Respondents/Defendants



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PRAYER : Tr.CMP., filed praying for withdrawal of the case in O.S.No.146/2022 pending on the file of First Additional District Munsif Court, Nagercoil, and transfer the same to the file of District Munsif Court, Alandur, Chennai .

For Petitioners : Mr.M.Soundararajan

For respondents : Mr.D.Saravanan for R1 to R4

Mr.L.J.Vengatesh for R5 and R6

Dr.S.Suriya AGP for R8 to R10.

R7- No apperance.

ORDER

This Tr.CMP is filed praying for withdrawal of the case in O.S.No.146/2022 pending on the file of First Additional District Munsif Court, Nagercoil and to transfer the same to District Munsif Court, Alandur, Chennai.

2. The learned counsel for the petitioner would submit that the petitioner filed O.S.No.146 of 2022 on the file of First Additional District Munsif Court, Nagercoil seeking for the relief of permanent injunction.



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According to the petitioner, her property was illegally transferred by 1st to 6th respondent and therefore, the said suit is filed. The first defendant being a practicing advocate at District Court, Nagercoil, has greater influence at police station where the properties are situated and she has no safety for her life. Further, the plaintiff-petitioner and her mother are living at Palavakkam, Chennai, and therefore, sought for withdrawal and transfer of the suit.

3. The learned counsel appearing for the respondents would submit that the properties are situated in and around Kanyakumari District and hence, the transfer sought for by the petitioner will cause inconvenience to the defendants.

4. Heard both sides and perused the records.

5. A perusal of the typed set of papers would go to show that this court has ordered for transfer of suits pending between the parties from the court of District Court, Kanyakumari at Nagercoil to the District



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Court, Tirunelveli. It shows that already some civil suits are pending between the parties and the petitioner herein approached this court for similar relief. This court in Tr.C.M.P.No.504 of 2013 dated 14.03.2018 and in Tr.C.M.P.No.935 of 2019 dated 11.02.2020, ordered withdrawal of suits from the file of District Court, Nagercoil and transferred the same to District Court, Tirunelveli. In such circumstances, this Tr.C.M.P. Is disposed of as follows:-

O.S.No.146 of 2022 pending on the file of First Additional District Munsif Court, Nagercoil, is withdrawn and transferred to the file of District Court, Tirunelveli. The parties are directed to cooperate for the disposal of the O.S., as expeditiously as possible.

No costs.

14.03.2024

Index : Yes / No

Internet: Yes/No

sts/nvsri



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To

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- 2.The Sub Registrar
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J.NISHABANU,J.

nvsri

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