



Tr Cmp.No.1096 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2024

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Tr CMP.No.1096 of 2023

and

CMP.No.26330of 2023

P.Kesavan

...

Petitioner

/vs/

- 1.Dhoorvasalu
- 2.Gajendran
- 3.Andrews
- 4.Devaki
- 5.Kalaivani
- 6.Rani
- 7.Vijayan
- 8.Dhamayanthi
- 9.Krishnaveni @ Banu
- 10.Grace Nithya
- 11.Samuel Santhosh

12.The District Collector,
Vellore District.

13.The Revenue Divisional Officer
Ranipet.

14.The Tahsildar,
Arakkonam.



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15.The Revenue Inspector,
Valarpuram Village,
Arakkonam Taluk,
Vellore District.

16.The Village Administrative Officer,
Valarpuram Village,
Arakkonam Taluk,
Vellore District.

17.The Sub-Registrar,
Arakkonam Sub-Registration Office,
Arakkonam.

Respondents

PRAYER : This Transfer Civil Miscellaneous Petition has been filed under Section 24 of Civil Procedure Code to withdraw the O.S.No.18 of 2018 from the file of the District Munsif Court, Arakkonam and transfer the same to the Court of the Assistant City Civil Court, Chennai.

For Petitioner	...	Mr.Jeremiah Gregory John
For Respondent Nos.1 to 4 & 6 to 10	...	Mr.M.Govindaraju for A.Vijayashankar
For Respondent Nos.12 to 17	...	Mr.S.Suriya Additional Govt.Pleader (CS)

ORDER

This Transfer Civil Miscellaneous Petition has been filed to withdraw the O.S.No.18 of 2018 from the file of the District Munsif Court, Arakkonam to the file of the Assistant City Civil Court, Chennai.



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2.The learned counsel appearing for the petitioner submitted that the petitioner is the 7th defendant and the respondents 1 to 11 are the plaintiffs and the respondents 12 to 17 are the defendants 1 to 6 in the suit. The plaintiffs filed the suit for declaration declaring that the legal heirs certificate of ponnurangam in Mu.Mu.No.13162/88 dated 09.12.1988 issued by the Tahsildar, Arakkonam born through Ponnurangam – Gnanambal in favour of P.Kesavan, the petitioner/7th defendant as null and void and the same can be cancelled and directing the defendants 1 to 5 issue a fresh legal heirs certificate of deceased Ponnurangam (born through Gnanambal and Ranganayagi) in the name of the plaintiffs as well as the 7th defendant after conducting due enquiry and other reliefs. Further, he submitted that since the respondents 1 to 11 are so powerful and influential persons, the officials, who are respondents 12 to 17, do not contest the suit for fear of the respondents 1 to 11. They had threatened the counsel, who appeared for the petitioner, not to conduct the case, therefore, the counsel returned the bundle and gave a change of vakalat. Thereafter, the petitioner appeared in person and took time for engaging another counsel but none of



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the advocate in Arakkonam are willing to conduct the case. Hence, this transfer civil miscellaneous petition has been filed seeking transfer.

3.Heard the learned counsel appearing for the respondents 1 to 4 & 6 to 10 as well as the learned Additional Govt.Pleader (CS) appearing for the respondents 12 to 17.

4. The reasons assigned by the petitioner in the transfer civil miscellaneous petition are not acceptable. This Court feels that it is not a fit case to transfer the suit in O.S.No.18 of 2018 from the file of the District Munsif Court, Arakkonam, Vellore District to the Assistant City Civil Court, Chennai. Accordingly, the transfer civil miscellaneous petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Index : Yes/No

14.02.2024

Internet : Yes/No

sms

To

1.The District Munsif Court, Arakkonam.

2.The Assistant City Civil Court, Chennai.



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V.SIVAGNANAM ,J.

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