



C.R.P(MD)No.266 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.02.2024

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

C.R.P(MD)No.266 of 2024

M.K.Muthukumaran

... Petitioner

Vs

S.Muthupandi

... Respondent

Prayer : Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the Principal District and Sessions Judge, Madurai, to number the unnumbered Transfer O.P.No.-- of 2024, which was returned on 19.01.2024 and to decide the same on merits in accordance with law.

For Petitioner : Mr.P.Murugesan

ORDER

This Civil Revision Petition is filed to direct the Principal District and Sessions Judge, Madurai, to number the unnumbered Transfer



C.R.P(MD)No.266 of 2024

O.P.No.-- of 2024, which was returned on 19.01.2024 and to decide the same on merits in accordance with law.

2. The grievance of the petitioner is that he filed a transfer petition seeking transfer of E.P.No.86 of 2022 in O.S.No.298 of 2018 to some other Court from the Court of VI Additional District Judge, Madurai, on the ground that the petitioner has filed a review petition seeking review of the order passed by this Court in C.R.P.No.370 of 2023. Pending the review application, he filed the present application seeking transfer of the review petition, that came to be returned by the learned Principal District and Sessions Judge, Madurai, stating that already a direction was issued by this Court to dispose of the EP at the earliest.

3. Let the above said transfer petition be decided by the learned Principal District and Sessions Judge, Madurai, on the judicial side. Maintainability ought not to have been decided on the administration side by simply returning the petition. On the sole ground, the return of the unnumbered Transfer O.P.No.-- of 2024 dated 19.01.2024, is set aside. There shall be a direction to the learned Principal District and



C.R.P(MD)No.266 of 2024

Sessions Judge, Madurai, to number the transfer petition and decide the same on its own merits on the judicial side.

4. With this direction, this Civil Revision Petition is disposed of.

No costs. Consequently, connected miscellaneous petition stands closed.

07.02.2024

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

Note: Registry is directed to return the original petition to the petitioner for re-submission.

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To

1.The learned Principal District and Sessions Judge, Madurai.

2.The Record Keeper, Vernacular Records,
Madurai Bench of Madras High Court, Madurai.

3/4



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C.R.P(MD)No.266 of 2024

G.ILANGO VAN, J.

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