



Tr. C.M.P. (MD) Nos. 168 and 190 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.04.2024

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

**Tr. C.M.P. (MD) Nos. 168 and 190 of 2024
and
C.M.P. (MD) Nos. 3474 and 4187 of 2024**

R.P.Balakrishnan

... Petitioner in both Petitions/2nd Defendant

-VS-

1. Gopalsamy
2. Radhakrishnan
3. Dheenadhayalan
Kunjarathammal (died)
4. Sanmuganthan
5. Ravichandran
6. Rajendran
Govindhan (died)
7. Muniasamy
8. Ambikavathi
9. Thirumalram
10. Senbagam
11. Papathi
12. Chandira
13. Santhoshkumar
14. Kalidass

... 1 to 3 Respondents/Plaintiffs

... Respondents 4 to 14/3 to 14 Defendants in
Tr. C.M.P. (MD) No. 168 of 2024

1. Radhakrishna
2. Dheenadhayalan
3. Ilango Manivannan

<https://www.mhc.tn.gov.in/judis>



Tr. C.M.P. (MD) Nos. 168 and 190 of 2024

Nagaththal (died)

Rajammal (died)

4. Gopalsamy

Kunjarathammal (died)

5. Sanmuganathan

6. Muniasamy

7. Sanmugavel

8. Velsamy

9. Periyasamy

10. Sadaiyan

11. Vadivel

12. Subramanian

13. Palchamy

...1 to 4 Respondents/Plaintiffs

... Respondents 5 to 13/3 to 11 Defendants in
Tr. C.M.P. (MD) No. 190 of 2024

Prayer in Tr. C.M.P. (MD) No. 168 of 2024:- Transfer Civil Miscellaneous Petitions filed under Section 24 r/w Rule 1(2) of the Code of Civil Procedure, 1908, to withdraw O.S. No. 30 of 2000 from the file of the District Munsif Court, Paramakudi, Ramanthapuram District and to transfer the same to the file of the First Additional District Court, Madurai to be tried along with O.S. No. 433 of 2021.

Prayer in Tr. C.M.P. (MD) No. 190 of 2024:- Transfer Civil Miscellaneous Petitions filed under Section 24 r/w Rule 1(2) of the Code of Civil Procedure, 1908, to withdraw O.S. No. 22 of 2000 from the file of the District Munsif Court, Paramakudi, Ramanthapuram District and to transfer the same to the file of the First Additional District Court, Madurai to be tried along with O.S. No. 433 of 2021.



Tr. C.M.P. (MD) Nos. 168 and 190 of 2024

WEB COPY

For Petitioner : Mr. T.R.Subramanian
(in both petitions)

For Respondent : Mr. G.Aravinthan
(for R1 to R3, R9 & R10
in Tr. C.M.P. (MD) No. 168 of 2024
and for R1 to R4
in Tr. C.M.P. (MD) No. 190 of 2024)

COMMON ORDER

These Transfer Civil Miscellaneous Petitions invoking Section 24 of the Civil Procedure Code have been filed to transfer the suits in O.S. Nos. 22 and 30 of 2000 from the file of the District Munsif Court, Paramakudi, Ramanathapuram District to the file of the First Additional District Court, Madurai to be tried along with O.S. No. 433 of 2021.

2. Heard Mr. T.R.Subramanian, Learned Counsel for the Petitioner, Mr. G.Aravinthan, Learned Counsel for the First to Third, Ninth and Tenth Respondents in Tr. C.M.P. (MD) No. 168 of 2024 and the First to Fourth Respondents in Tr. C.M.P. (MD) No. 190 of 2024 and perused the materials placed on record, apart from the pleadings of the parties.



Tr. C.M.P. (MD) Nos. 168 and 190 of 2024

WEB COPY

3. It is the case of the Petitioner that another suit in O.S. No. 433 of 2021 filed by him along with his co-sharer for partition of property between them is pending before the First Additional District Court, Madurai and he would have to travel a distance of more than 80 kms from Madurai, where he is residing, to effectively contest the suits in O.S. Nos. 22 and 30 of 2000 before the District Munsif Court, Paramakudi relating to the same property situated at Madurai.

4. Learned Counsel appearing for the contesting Respondents have also expressed that they have no objection for transfer of those suits from the Court at Paramakudi to Madurai and he has made an endorsement to that effect in the court record.

5. In view of the same, the suits in O.S. Nos. 22 and 30 of 2000 on the file of the District Munsif Court, Paramakudi, Ramanathapuram District is transferred to the First Additional District Court, Madurai to be tried along with O.S. No. 433 of 2021, and all parties shall appear before that Court on the next date of hearing, which is fixed as 19.06.2024, for conduct of further proceedings from their respective present stages, and on the subsequent dates to which they are adjourned. **(*)It shall be**



Tr. C.M.P. (MD) Nos. 168 and 190 of 2024

WEB COPY

ensured that there is atleast one effective hearing every week showing progress of the case, and the First Additional District Court, Madurai shall send monthly reports to the Registrar (Judicial) of this Court till those suits are disposed finally.

In the result, the Transfer Civil Miscellaneous Petitions are ordered on the aforesaid terms. Consequently, the connected Miscellaneous Petitions are closed. No costs.

Sd/-

Assistant Registrar(Records)

(*)Corrected as per the order of this Court dated 05/06/2024 Tr. C.M.P. (MD) Nos. 168 and 190 of 2024

Sd/-

Assistant Registrar(CO)

// True Copy //

/06/2024

Sub Assistant Registrar
(CS-I/II/III/IV)

sm

To

(*) To be substituted to the order already despatched on 29/05/2024

1. The District Munsif,

Paramakudi,

Ramanathapuram District.

2. The First Additional District Court,
Madurai.



Tr. C.M.P. (MD) Nos. 168 and 190 of 2024

WEB COPY

Copy to

The Registrar Judicial,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.T.R.SUBRAMANIAN, Advocate (SR-22971[F] dated 29/04/2024)

+1 CC to M/s.G.ARAVINTHAN, Advocate (SR-23493[F] dated 30/04/2024)

Tr. C.M.P. (MD) Nos. 168 and 190 of 2024
29.04.2024

PR(29.05.2024) 6P/6C

RD (26/06/2024) 6P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.