



Tr.C.M.P.(MD).No.363 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.02.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Tr.C.M.P.(MD).No.363 of 2023
and C.M.P.(MD).No.7744 of 2023

Joseph Bhawya

... Petitioner/2nd Plaintiff

Vs.

1.Mariya Nayaki

... 1st Respondent/1st Plaintiff

2.The State of Tamil Nadu
Rep. by its District Collector,
Kanniyakumari Collectorate,
Nagercoil Post, Nagercoil Village,
Agastheeswaram Taluk,
Kanniyakumari District.

3.The Assistant Engineer, W.R.D./P.W.D.,
Irrigation (Special Section),
Thuckalay – 629 175,
Thuckalay Post, Kalkulam Taluk,
Kanniyakumari District.

4.The Tahsildar,
Kalkulam Taluk,
Thuckalay Village, Kalkulam Taluk,
Kanniyakumari District.

5.The Revenue Inspector,
Colachel Firka, Colachel Post,
Kalkulam Taluk,
Kanniyakumari District.



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6.The Village Administrative Officer,
Vellichanthai Village,
Vellichanthai Post,
Kalkulam Taluk,
Kanniyakumari District. ... Respondents 2 to 6/Respondents 1 to 5

PRAYER : Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, to withdraw the suit in O.S.No.38 of 2016 from the file of District Munsif Court, Eraniel and transfer the same to any of the District Munsif Court at Kanyakumari District.

For Petitioner : Mr.M.Saravanan

For Respondent : Mr.L.S.Lenin for R1

ORDER

This petition has been filed seeking to withdraw the suit in O.S.No.38 of 2016 from the file of District Munsif Court, Eraniel and transfer the same to any of the District Munsif Court at Kanyakumari District.

2.The learned counsel for the petitioner would submit that making some allegation against the Office of District Munsif Court, Eraniel, this petition has been filed stating that the order copy in I.A.No.10 of 2023 was not furnished to him. Now the order copy has been delivered to the



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petitioner. Apart from that the learned counsel for the respondent would submit that now the Presiding Officer himself has been transferred to some other place. So nothing survives for further adjudication in this matter. The matter has become infructuous.

3. Accordingly, this transfer civil miscellaneous petition stands dismissed as infructuous. Consequently, connected miscellaneous petition is closed.

20.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
TM

To

1. The District Munsif, Eraniel.
2. The District Collector,
Kanniyakumari Collectorate,
Nagercoil Post, Nagercoil Village,
Agastheeswaram Taluk,
Kanniyakumari District.
3. The Assistant Engineer, W.R.D./P.W.D.,
Irrigation (Special Section),
Thuckalay – 629 175,
Thuckalay Post, Kalkulam Taluk,

3/5



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Kanniyakumari District.

- 4.The Tahsildar,
Kalkulam Taluk,
Thuckalay Village, Kalkulam Taluk,
Kanniyakumari District.
- 5.The Revenue Inspector,
Colachel Firka, Colachel Post,
Kalkulam Taluk,
Kanniyakumari District.
- 6.The Village Administrative Officer,
Vellichanthai Village,
Vellichanthai Post,
Kalkulam Taluk,
Kanniyakumari District.
- 7.The Section Officer,
E.R.Section/V.R.Section,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGOVAN,J.

TM

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