



Tr.C.M.P.(MD).No.615 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.02.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Tr.C.M.P.(MD).No.615 of 2023
and C.M.P.(MD).No.13801 of 2023

M.Mohammed Ismail ... Petitioner/1st Respondent

Vs.

1.S.Chithambaram ... Respondent/Petitioner

2.M.Sheik Mohamed Syed Ali ... 2nd Respondent/Respondent

PRAYER : Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, to pass orders to withdraw and transfer the case in I.P. No. 5/2014 pending on the file of the learned Additional District and Sessions Judge (FTC), Tenkasi, Tenkasi District to the Principal District and Sessions Court, Tirunelveli.

For Petitioner : Mr.R.Anandharaj

For Respondent : Mr.L.George Paul Anto

ORDER

This petition has been filed to withdraw and transfer the case in I.P. No. 5/2014 pending on the file of the learned Additional District and



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Sessions Judge (FTC), Tenkasi, Tenkasi District to the Principal District and Sessions Court, Tirunelveli.

2.The facts in brief:

Due to dishonour of cheques, private complaints have been filed against the petitioner. The same were ended in conviction. Against them, he filed criminal appeal before the appellate Courts. Suit was also filed against the petitioner before the Additional District and Sessions Judge, Tenkasi, which was also ended against him. In the meantime, insolvency petition was also filed by the respondent against the petitioner, now it is pending before the learned Additional District and sessions Judge (FTC), Tenkasi. Seeking transfer of the same to the file of the learned Principal District and Sessions Judge, Tirunelveli, this petition has been filed.

3.Heard both sides.

4.The learned counsel for the respondent would submit that the respondent has no objection to transfer the above said case to the Principal District Court, Tirunelveli.



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5.In view of the submissions made on either side, I.P.No.5 of 2014 pending on the file of the learned Additional District and Sessions Judge (FTC), Tenkasi is ordered to be withdrawn and transferred the same to the file of the learned Principal District and Sessions Judge, Tirunelveli.

6.With the above said directions, this transfer miscellaneous petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

12.02.2024

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

To

- 1.The Additional District and Sessions Judge (FTC), Tenkasi.
- 2.The Principal District and Sessions Judge, Tirunelveli.
- 3.The Section Officer,
E.R.Section/V.R.Section,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGOVA,J.

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