



Tr. C.M.P. (MD) No. 724 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **22.04.2024**

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKESSAVU

Tr. C.M.P. (MD) No.724 of 2023
and
C.M.P. (MD) No. 16182 of 2023

1.S.Shanmugam
2.S.Durai Murugan
3.S.Elancheran

... Petitioners

Vs.

1.E.Murugaiya
2.S.Arumugasamy
3.K.Ramathal

... Respondents

PRAYER: Petition filed under Section 24 r/w 151 of the Code of Civil Procedure, 1908, to withdraw the case in O.S. No. 274 of 2021 on the file of the Principal District Munsif Court, Tenkasi and transfer the same to the District Munsif Court, Rajapalayam situated in Virudhunagar District or any other District Munsif Court nearby Tenkasi District.

For Petitioners : Mr. R.Murugappan
For Respondents : Mr. S.Devarajan



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ORDER

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When the matter is taken up for hearing, Learned Counsel appearing for the Petitioners seeks permission of this Court to withdraw this Transfer Civil Miscellaneous Petition reserving the right of the Petitioners to make necessary application for stay of suit before the Trial Court under Section 10 of the Civil Procedure Code, 1908, in view of the pendency of S.A. (MD) No. 228 of 2021 before this Court relating to the same property. He has also made an endorsement to that effect in the Court record.

2. In view of the same, the Transfer Civil Miscellaneous Petition is dismissed as withdrawn with the aforesaid clarification. Consequently, connected Miscellaneous Petition is closed. No costs.

22.04.2024

Index : Yes/No
NCC : Yes/No
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1.The Principal District Munsif Court, Tenkasi.



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P.D.AUDIKEVALU,J.

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