



Tr.C.M.P.(MD)No.765 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2024

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Tr.C.M.P.(MD)No.765 of 2024
and
C.M.P.(MD)No.18521 of 2024

M.Subramaniyan

... Petitioner

Vs.

1.Rajeswaran

2.Gowri

3.Rukmani

... Respondents

Prayer : This Transfer Civil Miscellaneous Petition filed under Section 24 C.P.C. Order Rule 1(2) C.P.C., to withdraw the suit in O.S.No.263 of 2022 on the file of the Principal District Court, Karur and transfer the same to the Principal District Court, Dindigul or any other competent Court.

For Petitioner : Mr.K.Khari Kharadas

ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw the



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case on the file of the Principal Subordinate Court, Karur, in O.S.No.263 of 2022 and transfer the same to the file of the Principal District Court, Dindigul or any other competent Court.

2. Heard the learned counsel appearing for the petitioner.

3. It is seen from the records that the petitioner has filed a suit in O.S.No.263 of 2022 before the Principal District Court, Karur, claiming declaration that the general power of attorney deed dated 30.09.2019 is not binding on the plaintiff and also cancellation of sale deed dated 21.02.2022 and for consequential permanent injunction, restraining the defendants from in any manner interfering with the plaintiff's peaceful possession and enjoyment of the suit property. Pending trial, the petitioner has filed this petition seeking transfer of the above suit from the Principal District Court, Karur to the Principal District Court, Dindigul mainly on the ground of ill health of the petitioner.

4. Medical ground, by no stretch of imagination, can be taken as a ground to transfer the case from one District to another District. If the



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petitioner is not well, he is always at liberty to file commission petition for his examination. There is no need to attend the hearings. Except the medical ground, the petitioner has not canvassed any other valid reason or ground to transfer the case. Hence, this Court is not inclined to grant the relief claimed.

5. In the result, the Transfer Civil Miscellaneous Petition stands dismissed. The petitioner is at liberty to file a commission petition again, if so advised. Consequently, connected Miscellaneous Petition is closed. No costs.

20.12.2024

NCC :yes/No
Index :yes/No
Internet:yes/No
csm

To

1. The Principal Subordinate Court,
Karur.
2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

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