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Tr.C.M.P.No.223 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2025

CORAM:

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.C.M.P. No.223 of 2025

and

C.M.P.No.4266 of 2025

K.S.Mahalakshmi

... Petitioner

Vs.

1.Krishnapriya

2.Arjun Vaghee

3.Akshara Vaghee

4. S.R.Ganesh Prabhu

... Respondents

PRAYER in Tr.C.M.P.No.223 of 2025: : Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure to withdraw the O.S.No.1150 of 2024 on the file of the V Additional District Court, Coimbatore and transfer to the District Court, Ottacamund, The Nilgiris and pass such further or other orders and thereby render justice.

PRAYER in C.M.P.No.4266 of 2025: This Civil Miscellaneous Petition is filed under Section 151 of Code of Civil Procedure, to stay all further proceedings in O.S.No.1150 of 2024 on the file of the V Additional District Court, Coimbatore, pending disposal of the above Transfer Petition.



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For Petitioner : Mr.D.H.Rajkumar, Advocate.

For respondents : Mr.S.Esakkimuthu for R1 to R3.

Mr. M. Prakash for R4.

ORDER

Heard.

2. The petitioner seeks transfer under Section 24 CPC of O.S. No.1150 of 2024 from the file of the V Additional District Court, Coimbatore, to the District Court, Ootacamund (The Nilgiris). The suit is one for partition laid by respondents 1 to 3 against the petitioner and the 4th respondent. The petition and supporting affidavit state that the petitioner is a 71-year-old senior citizen with deteriorating health; that a substantial part of the suit properties (Schedules I, IV, V, VI and VII) are situate within the Nilgiris.

3. Considering the factors such that a substantial portion of the suit properties are within the territorial jurisdiction of the District Court, Ootacamund, and evidence concerning title/possession and local enquiries would more conveniently be marshalled there; the petitioner's age and health are special circumstances meriting consideration for convenience, with no prejudice shown to exist for the respondents and further that the learned counsel appearing for the



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respondents raised no serious objections to the transfer sought by the petitioner, this petition deserves to be allowed.

4. In the result Tr.C.M.P. No.223 of 2025 is allowed. The O.S. No.1150 of 2024 on the file of the V Additional District Court, Coimbatore, is withdrawn and transferred to the file of the District Court, Ootacamund (The Nilgiris). The V Additional District Court, Coimbatore, shall transmit the entire records in O.S.No.1150 of 2024 to the District Court, Ootacamund, The Nilgiris within a period of three weeks from the date of receipt of a copy of this order. On receipt of the records, the District Court, Ootacamund, The Nilgiris shall dispose of the matter as expeditiously as possible in accordance with law, uninfluenced by any observation herein made for the purpose of this transfer. The interim order already granted by this Court on 25.02.2025 shall stand vacated. C.M.P. No.4266 of 2025 is closed. No costs.

08.12.2025

mfa/ay

Index : Yes/No

NCC : Yes/No

Speaking Order / Non-Speaking Order

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To

1.The V Additional District Court,
Coimbatore.

2.The District Court,
Ootacamund,
The Nilgiris.



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DR. A.D. MARIA CLETE, J

mfa/ay

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