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TR CMP NO. 319 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-08-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

TR CMP NO. 319 of 2025

P.Jayaraju
S/O.K.Palanisawamy, Vadakupatti, D.Nallagoundapalayam,
Ernapuram Post, Namakkal Circle, Namakkal - 637003 and 9
Others

Petitioner(s)

Vs

K.Govindarajan
S/O. Kondamanayakar, Doo.No.3/1, Kon damanayakunoor,
Minnampallai Post, Namakkal Circle and District. and 3 Others

Respondent(s)

TR CMP NO. 319 of 2025

For Petitioner(s):

M/s.Prakash Paul

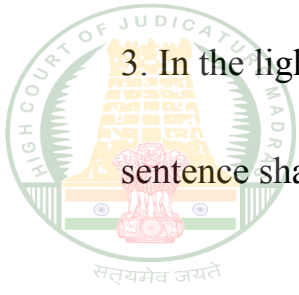
For Respondent(s):

Ms.T.Thiruvathini for Mr.EK.Kumaresan for R1
Mr.K.Selvaraj, for R2

ORDER

The matter has been listed today under the caption 'for being mentioned'.

2. The counsel for the petitioner states that the suit in [OS.No.231/2018](#) before the Additional District Court, Tiruchirapalli, is already posted for judgement, and hence there is no possibility of a joint trial as ordered by this Court in the order dated 28.7.2025.



3. In the light of the above, in Paragraph No. 6 of the order is modified. The last sentence shall read as:

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“6.....Hence, the case in OS No. 424/2014 is withdrawn from the file of the Principal District Court, Tiruchirapalli, and transferred to the file of the Additional District Court, Namakkal.”

4. Except for the aforesaid corrections, the order dated 18.07.2025 remains unaltered in all other respects.

13-08-2025

jrs

Note : The Registry is directed to carry out the aforesaid corrections and issue a fresh copy of the order to the learned counsel for the parties.



IN THE HIGH COURT OF JUDICATURE AT MADRAS



DATED : 28.07.2025

CORAM :

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THE HONOURABLE MR. JUSTICE P.B. BALAJI

Tr.CMP.No.319 of 2025

and

CMP.No.7518 of 2025

1. P.Jayaraju
2. P.Muthuswamy
3. P.Ganesan
4. P.Ramasamy
5. P.Chinnammal
6. Sudha
7. N.Rajasekar
8. Mallika
9. Dhanalakshmi

10. Venkatachalam ...Petitioners

Vs.

1. K.Govindarajan
2. K.Varadharajan
3. K.Ramachadran

4. P.Kanagaraj ...Respondents

Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure to withdraw O.S.No.424 of 2024 pending before the Principal District Court, Tiruchirapally and transfer the suit to Additional District Court, Namakkal to be tried along with O.S.No.231 of 2018 pending before it.



For Petitioners : Mr.Prakash Paul

For Respondents : Ms.T.Thiruvathini

for Mr.EK.Kumaresan, for R1

Mr.K.Selvaraj, for R2

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ORDER

The present Transfer petition has been filed by the defendants 4 to 13 in O.S.No.424 of 2024 pending on the file of the Principal District Court, Tiruchirapally, seeking transfer of the said suit to the file of the Additional District Court, Namakkal, to be jointly tried along with O.S.No.231 of 2018.

2. I have heard the learned counsel on either side and I have also gone through the affidavit filed in support of this transfer petition.

3. It is seen that, both the suits are for partition and admittedly most of the suit properties are situated within the jurisdiction of Namakkal and even on a perusal of the cause title, it is seen that most of the parties are also residing within the jurisdiction of Namakkal.

4. In the light of the above, I do not find any impediment for the acceding to the transfer



ade

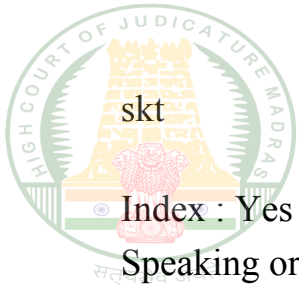
request made by the petitioners. The 1st respondent alone objects to the transfer
by the petitioners.

5. However, I find that even the 1st respondent is also a resident of Namakkal District, being residing at Kondama Naickanoor, Minnampalli Post, Namakkal, therefore, no prejudice would be caused to the 1st respondent or any of the other respondents if the suit in O.S.No.424 of 2024 is transferred to the file of the Additional District Court, Namakkal and jointly tried along with O.S.No.231 of 2018.

6. Since the properties and the parties in both the suits are also the same, it is in the interest of all the parties to have a joint trial of both the suits, in order to avoid conflicting judgments as well as multiplicity of proceedings. Hence, the case in O.S.No.424 of 2024 is hereby withdrawn from the file of the Principal District Court, Tiruchirapally and transferred to the file of the Additional District Court to be tried along with O.S.No.231 of 2018.

7. With the above observations and directions, this Transfer Civil Miscellaneous Petition stands allowed. There shall be no order as to costs. Consequently, the connected Civil Miscellaneous Petition is closed.

28.07.2025



skt

Index : Yes / No

Speaking order : Yes / No

NCC : Yes / No

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To

1.The Principal District Court,
Tirichirapally.

2.The Additional District Court,
Namakkal.



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P.B.BALAJI, J.

skt

Tr.CMP.No.319 of 2025
and
CMP.No.7518 of 2025

28.07.2025



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P.I



,J.

skt/jrs

Tr.CMP.No.319 of 2025

and

CMP.No.7518 of 2025

13.08.2025