



WEB COPY

A No. 2287 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-06-2025

CORAM

THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN

A Nos. 2287 of 2025 & 2288 of 2025

in

TOS No.5 of 2025

P.Venkat Narayanan
S/o.V.Pachaiappan,
No.15, Kolathur Road East,
Ayanavaram Taluk,
Chennai - 600 099.

Applicant in both
applications

Vs

1. P. Ashok Kumar
S/o.V.Pachaiappan,

2.P.Vijayakumar
S/o.V.Pachaiappan,
Both respondents residing at No.15,
Kolathur Road East, Ayanavarm Taluk,
Chennai - 600 099.

Respondents in both
applications



PRAYER in Application No. 2287 of 2025

To withdraw O.S.No.2912 of 2023 from the file of XVIII Additional City Civil Court, Chennai to be tried jointly with T.O.S.No.5 of 2025 pending before this Honble Court.

PRAYER in Application No. 2288 of 2025

To stay all further proceedings in O.S.No.2912 of 2023 pending on the file of XVIII Additional City Civil Court, Chennai, pending disposal of the transfer Application pending before this Hon'ble Court.

For Applicant(s): M/s. C. Prabakaran
For Respondents Mr. R. Sethuvarayar for R1

ORDER

The Application No.2287 of 2025 had been filed seeking to withdraw O.S. No.2912 of 2023 pending on the file of the XVIII Additional City Civil Court, Chennai, to the file of this Court and to be tried along with T.O.S. No.5 of 2025.

2. Both the issues relate to the same property. T.O.S. No.5/2025 has been filed on the basis of a Will and the plaintiff claims that on the basis of the Will, he has right over the property. On the other hand, the plaintiff in O.S.No.2912 of 2023 claims that the property should be partitioned and preliminary decree in this regard must be passed.

3. Since both the issues revolve around the same property, it is only be appropriate that O.S. No.2912/2023, now pending on the file of the XVIII



Additional City Civil Court, Chennai, is withdrawn to the file of this Court and to be tried along with T.O.S. No.5 of 2025.

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4. Learned counsel for the respondent/plaintiff in the suit in O.S.No.2912/2023 stated that proof affidavit had been filed and documents had also been marked. The said proof affidavit may be retained on the records of this Court and the documents already marked may also be retained on the file of this Court.

5. Application No.2287 of 2025 stands allowed. Registry to take necessary steps to address the Registrar of the City Civil Court to withdraw O.S.No.2912/2023 from the file of the XVIII Additional City Civil Court, Chennai, and transfer the same to the file of the Original Side of this Court and renumber the same. Steps in this regard must be taken and completed by 07.07.2025.

6. In view of the fact that orders have been passed in Application No.2287 of 2025 allowing the application, the Application No.2288 of 2025 stands closed.

17-06-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

The XVIII Additional Judge,
City Civil Court, Chennai.



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C.V. KARTHIKEYAN, J.

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