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Tr.CMP. No.759 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **25.07.2025**

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

TR.CMP. No.759 of 2025

and CMP. No.17668 of 2025

Mrs.Sowmiya

....Petitioner

Vs

1.Mr.Anadageethan

2.Mr.Sudharsan

3.The Managing Director-Youtube India,
Through Appropriate Authority,
Having Office at
4th Floor, Tower E, RMS Infinity,
No.3, Swami Vivekananda Road,
Sadanandanagar, Karnataka – 560 016.

4. The Resident Grievance Officer -Youtube
India, Currently, Mr.Suraj Rao (Google LLC
-India Liaison Office), Having Office at:
Unit No.26, The Executive Center,
Level 8, DLF Centre, Sansad Marg,
Connaught Place, New Delhi -110 001,
E-Mail: support-in@ google.com.

5.The Country Manager (India)-Google India,
Having Office at,
No.3, Old Madras Road,
Sadanandanagar, Bennigana Halli,
Bengaluru, Karnataka – 560 016.
Ph: 080672 1800.

6. Managing Director-Facebook India,



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Having Office at
Meta Platforms, Inc,
Unit 28 and 29, The Executive Centre,
Level 18, DLF Cyber City, Building No.5,
Tower A, Phase III, Gurgaon 122 002, India.

....Respondents

PRAYER: This Transfer Civil Miscellaneous Petitions are filed under Section 24 of CPC, to withdraw the O.S. No.02 of 2025 from the file of the District Court at Tiruchirapalli and transfer the same to the City Civil Court at Chennai.

For Petitioner : Mr.A.Samson

ORDER

The first defendant in a suit for declaration and mandatory injunction and permanent injunction has come forward with the present transfer petition seeking to transfer the suit pending in O.S. No.2 of 2025 pending on the file of the District Court at Tiruchirapalli to the City Civil Court at Chennai.

2. I have heard Mr.A.Samson, learned counsel for the revision petitioner.

3. The Transfer Petition has been filed under Section 24 of the



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Code of Civil Procedure, 1908. According to the petitioner, the suit has been filed as a defamation suit and since the petitioner is having a one year old child and also 4 year old daughter, she expresses difficulty to travel and appear before the District Court at Tiruchirapalli. It is also the case of the petitioner that a consumer complaint has been filed in C.C. No.245 of 2024 before the District Consumer Forum in Chennai and the petitioner is unable to meet legal expenses and travel costs and has therefore, prayed for transfer of the said suit to the City Civil Court, Chennai where the petitioner resides.

4. The proceedings pending before the District Court, Trichirapalli is only in the nature of a Civil Suit where the appearance of the petitioner is not necessary, unless when the petitioner chooses to examine herself as a witness in the suit. It is also seen that the husband of the petitioner is also arrayed as the second defendant and in such view of the matter, I do not find the request of the first defendant alone seeking request for transfer being bonafide and to be accepted by this Court.

5. The suit has been filed on specific cause of action taking into account, the territorial jurisdiction for filing the suit. There are other



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defendants who are having their Offices outside the State of Tamil Nadu, under Section 24 of CPC, general power of transfer is no doubt conferred upon this Court. However, unless there are compelling circumstances to exercise the power under Section 24 of CPC, this Court ordinarily would refrain from withdrawing and transferring the suits for the mere asking.

6. Considering that the suit is a regular suit pending before the District Court at Tiruchirappalli, the petitioner can always be represented by a counsel of her choice and her presence before the District Court is also not mandatory, except on the dates when she is to be examined as defendants' witnesses. Therefore, I do not find any merit in the request for transfer. Consequently, the Transfer Civil Miscellaneous Petition is dismissed. Connected Miscellaneous Petition is also closed. No costs.

25.07.2025

rkp
Index : Yes / No
Internet : Yes / No
To:
The District Judge, Tiruchirappalli.

P.B.BALAJI, J.,

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