



Tr.C.M.P.No.787 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :05.06.2025

CORAM:

THE HON'BLE MR. JUSTICE P.B. BALAJI

Tr.C.M.P.No.787 of 2024 and C.M.P.No.17252 of 2024

1. R.Megala
2.Minor S.Pragadeesh
3.Minor S.Hashini
Minors 2 and 3 represented by Mother
and Natural Guardian 1st petitioner
.... Petitioners

VS

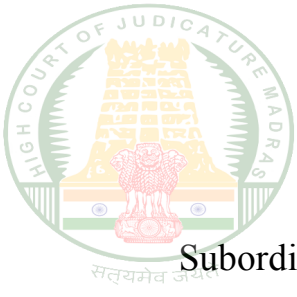
1. P.T.Saravanan
2.A.Magesari
... Respondents

Tr.Civil Revision Petition filed under Section 24 of Civil Procedure Code seeking to withdraw the Suit in O.S.No.173 of 2017 on the file of the Subordinate Judge, Tirupathur, Tirupathur District and transfer the same to the file of Subordinate Court, Gudiyattam, Vellore District.

For Petitioners : Mr.K.A.Ravindran
For Respondents : No appearance for R.1
R.2 – Given up

ORDER

The petitioner, wife of late Sivakumar has filed the present petition seeking transfer of the suit in O.S.No.173 of 2017 from the file of



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Subordinate Court, Tirupathur, Tirupathur District to the file of Subordinate Court, Gudiyattam, Vellore District.

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2. Heard the learned counsel for the petitioners. Learned counsel for the petitioners submits that the contesting first respondent has been served, but there is no representation either in person or through counsel. Learned counsel further submits that the second respondent is a formal party and he gives up the second respondent in the present petition.

3. The petitioners are the defendants 1 to 3 in O.S.No.154 of 2016 pending on the file Subordinate Court, Gudiyattam and they have sought for transfer of O.S.No.173 of 2017 pending on the file of Subordinate Court, Tirupathur to the file of Subordinate Court, Gudiyattam.

4. I have gone through the affidavit filed in support of the petition. The petitioners have assigned genuine and acceptable reasons for being unable to attend the hearings at Sub Court, Tirupattur.

5. In view of the above, this Court is of the opinion that the petitioners



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have made out a case for transfer of the suit, as prayed for.

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6. Accordingly, the Tr. C.M.P. is allowed and the O.S.No.173 of 2017, pending on the file of the learned Subordinate Court, Tirupathur, Tirupathur District is withdrawn and transferred to the file of the learned Subordinate Court, Gudiyattam, Vellore District.

7. The Subordinate Court, Tirupathur, Tirupathur District is directed to send the entire records relating to O.S.No.173 of 2017 to Subordinate Court, Gudiyattam, Vellore District forthwith.

5. The learned Subordinate Judge, Gudiyattam, Vellore District, is directed to take up the O.S.No.173 of 2017 and dispose of the same expeditiously, in the manner known to law. No costs. Consequently, connected miscellaneous petition is closed.

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Index: Yes/No
Website: yes/no
Speaking Order/Non-Speaking Order
sr

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P.B.BALAJI.,J.

sr

To

1. The Subordinate Court, Tirupathur , Tirupathur District
2. The Subordinate Court, Gudiyattam, Vellore District.

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