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Tr.CMP.No.720 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

Tr.CMP.No.720 of 2025

&

C.M.P.Nos.16807 and 16808 of 2025

Jayanthi

... Petitioner

Versus

1. V.Ragothaman

2. V.Sunder

... Respondents

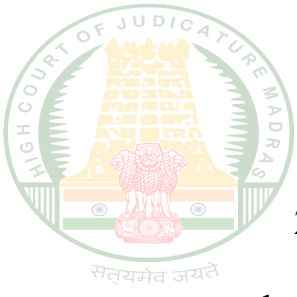
Transfer Civil Miscellaneous Petition filed under Section 24 of CPC, to withdraw O.S.No.146 of 2021 filed by the petitioner pending on the file of the District Munsif Court, Ambattur, Tiruvallur District and transfer the same to the file of Sub-Court, Ambattur, Thiruvallur District to be clubbed and tried along with O.S.No.1692 of 2023 filed by the respondents.

For Petitioner : Mr.D.Thirumoorthy

For Respondents : Mr.R.Jayaprakash

ORDER

The petitioner, who is the plaintiff in O.S.No.146 of 2021, has come up with the above transfer petition, seeking transfer of the suit to Sub-Court, Ambattur.



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2. The first respondent, who is the brother of the petitioner, has filed another suit in O.S.No.1692 of 2023 on the file of Sub-Court, Ambattur seeking permanent injunction.

3. The learned counsel for the petitioner would submit that in both the suits, the parties are one and the same and the suit schedule properties are also one and the same and hence, to avoid multiplicity of proceedings and conflicting judgments, the suit in O.S.No.146 of 2021 filed by the petitioner may be transferred to the file of Sub-Court, Ambattur, Thiruvallur to be tried along with O.S.No.1692 of 2023.

4. The learned counsel for the respondent would submit that if this transfer petition is allowed and the suit in O.S.No.146 of 2021 is transferred to the file of Sub-Court, Ambattur, it would cause serious prejudice to the respondents.

5. I have considered the rival submission and also perused the materials placed before this Court.

6. It is not in dispute that the parties and the suit schedule properties are one and the same in both the suits. This Court is of the view that if the suits are allowed to continue in two different Courts, it will lead to



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conflicting judgments. Hence, I am inclined to transfer O.S.No.146 of 2021 from the file of District Munsif Court, Ambattur to the file of Sub-Court, Ambattur to be tried along with O.S.No.1692 of 2023.

6.Accordingly, this Transfer Civil Miscellaneous Petition is allowed and the case in O.S.No.146 of 2021 is withdrawn from the file of District Munsif Court, Ambattur and transferred to the file of Sub-Court, Ambattur to be tried along with O.S.No.1692 of 2023. Considering the facts of the case, there shall be no orders as to costs. Consequently, the connected Civil Miscellaneous Petitions are closed.

25.09.2025

Index:Yes/No
Internet: Yes/No
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M. JOTHIRAMAN, J.

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To

1.The District Munsif Court, Ambattur, Tiruvallur District

2. The Sub-Court, Ambattur, Tiruvallur District

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