



Tr.C.M.P.No.893 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2025

CORAM:

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.C.M.P. No.893 of 2024

and

C.M.P.No.19577 of 2024

Chitra

... Petitioner

Vs.

1. Saroja
2. Tamilselvan
3. Elangovan
4. Latha
5. Kunjithapadham
6. Jayakumar

... Respondents

PRAYER in Tr.C.M.P.No.893 of 2024 : Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure to withdraw the final decree petition I.A.No.100 of 2019 in O.S.No.25 of 2014 and Limitation Act of Section 5 Petition I.A.No.543 of 2022 in O.S.No.25 of 2014 on the file of the Subordinate Court, Neyveli and transfer to Additional District and Sessions Court, Vridhachalam.



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PRAYER in C.M.P.No.19577 of 2024: To stay all the further proceedings connected with the Final Decree in I.A.No.100 of 2019 in O.S.No.25 of 2014 and I.A.543 of 2022 in O.S.No.25 of 2014 on the file of the Subordinate Court, Neyveli.

For Petitioner : Mr.E.Durai

For Respondents : Mr.P.Mani for R1 to R4

R5 refused

R6 Served no appearance

ORDER

Heard.

2. This Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure seeking withdrawal of I.A. No.100 of 2019 (Final Decree Petition) and I.A. No.543 of 2022 (Sec.5 Petition) in O.S. No.25 of 2014 from the file of the Subordinate Court, Neyveli, and for transfer of the same to the Additional District and Sessions Court, Vriddhachalam.

3. The petitioner is the plaintiff/decreed-holder in O.S. No.25 of 2014, wherein a preliminary decree was passed on 05.06.2015. Subsequent proceedings, including the Final Decree Application and delay-condonation petitions filed by

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the respondents, are pending before the Subordinate Court, Neyveli. The petitioner seeks transfer alleging delay, inconvenience, and apprehension of prejudice.

4. The respondents oppose the petition contending that no valid grounds for transfer are made out.

5. This Court has carefully considered the pleadings, the affidavit of the petitioner, and the submissions on either side.

6. Both the courts between which transfer is sought are within the same District Judiciary, and under Section 24(1)(a) CPC, the Principal District Judge is the competent authority to consider transfers between courts subordinate to that District Court. The earlier attempt of the petitioner before the Principal District Judge in Tr.O.P. No.101 of 2024 has already failed, which reinforces that no transferable ground exists. In these circumstances, this Court finds no justification to withdraw the pending interlocutory applications from the Subordinate Court, Neyveli.



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7. Tr.C.M.P. No. 893 of 2024 is dismissed. Interim stay granted by this Court

on 04.09.2024 shall stand vacated and C.M.P. No. 19577 of 2024 is dismissed. No order as to costs.

09.12.2025

mfa/dpq

Index : Yes/No

NCC : Yes/No

Speaking Order / Non-Speaking Order

To

1.The Subordinate Court,
Neyveli.

2.The Additional District
and Session Court,
Vridhachalam.

DR. A.D. MARIA CLETE, J

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mfa/ dpq

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and
C.M.P.No.19577 of 2024

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