



Tr.C.M.P.No.1283 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **24.01.2025**

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

Tr.C.M.P.No.1283 of 2024

1. Mrs. R. Padmapriya

2. Mr. G.Rajesh

.. Petitioners

Vs

Nil

.. Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of the C.P.C., to withdraw the O.P.No.306 of 2023, pending on the file of the Principal District Court at Chengalpattu and transferring the same to the Principal District Court of Kancheepuram.

For Petitioner : Mr. Ralph V. Manohar

ORDER

The transfer petitioners seek withdrawal of O.P.No.306 of 2023 on the file of the Principal District Court at Chengalpet and transfer the same to the file of the District Court at Kancheepuram.



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2. O.P. 306 of 2023 is a petition filed invoking Section 8(2)(b) of the Hindu Minority and Guardianship Act of 1956 . The petitioners, under a mistaken impression that it comes within the jurisdiction of the District Court at Chengalpet, presented the O.P. before that Court. Subsequently, the learned Judge entertained the doubt that the property falls within the jurisdiction of the District Court at Kancheepuram and hence, called for a clarification from the petitioners on 23.09.2024.

3. On verification, the petitioners have come to know that the proper court, in which the petition ought to have been filed, is District Court at Kancheepuram. Hence, they moved this transfer petition.

4. I requested the Registry to verify as to which Court will have the jurisdiction for the property situated at Door No.98 and Old Door No.193, Jayalakshmi Nagar, Part-I, Adhanur Village, Sriperumbudur Taluk, Kancheepuram District. The Registry informs that the appropriate Court is the District Court at Kancheepuram. Since the Principal District Court at Chengalpet does not possess the territorial jurisdiction to deal with the issue, I am inclined to consider the transfer.



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5. In fine, O.P.No.306 of 2023 is withdrawn from the file of the learned Principal District Court at Chengalpet and transferred to the file of Principal District Court at Kancheepuram. The learned Principal District Judge at Chengalpet is requested to send the papers to the District Court at Kancheepuram immediately.

6. Mr. Ralph V.Manohar states that evidence had already been concluded before the Principal District Court at Chengalpet. Hence, invoking Section 24(2) of C.P.C, I direct the learned Principal District Judge at Kancheepuram to proceed with the case from the stage at which it has been transferred to him.

7. With the above observations, the Transfer Petition is allowed.
No costs.

24.01.2025

Index:Yes/No
Speaking order/Non-speaking order
Neutral Citation:Yes/No
mrp

V. LAKSHMINARAYANAN,J.



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mrp

To

- 1.The Principal Judge, Principal District Court, Chengalpet
- 2.The District Judge, Sub Court, Tambaram.

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