



WEB COPY

CRP(PD).No.17 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

CRP.(PD).No.17 of 2025

and

CMP.No.130 of 2025

Thambiran

... Petitioner

Vs.

1.Pancheswari

2.Amirthavalli

3.Thanigaivelan

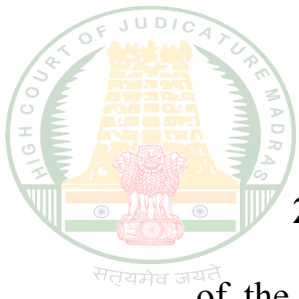
... Respondents

Prayer:- Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the fair order and decreetal order dated 12.08.2024 passed in Tr.OP.No.178/2023 on the file of the Principal District Court, Cuddalore District, Cuddalore.

For Petitioner : M/s.D.Baskar

ORDER

Challenging the dismissal of his transfer petition seeking transfer of a suit from the file of the III Additional District Judge, Vridhachalam, to the District Court at Cuddalore, the petitioner is before this Court.



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2. The 1st respondent had filed a suit OS.No.150 of 2022 on the file of the Principal District Judge, Cuddalore against the petitioner and the respondents 2 and 3 for a partition and separate possession. The suit has now been transferred to the III Additional District Court, Vridhachalam on administrative grounds.

3. The petitioner had filed Tr.OP.No.178 of 2023 on the file of the Principal District Judge, Cuddalore seeking to transfer the suit OS.No.150 of 2022 pending on the file of the III Additional District Judge, Vridhachalam to the file of the District Court, Cuddalore.

4. It is the contention of the petitioner that the properties in question are 20 kms from Cuddalore but 40 kms from Vridhachalam and that the petitioner and the respondents are living closer to Cuddalore than to Vridhachalam. That apart he would submit that he has suffered an accident resulting in the amputation of his legs, which makes it difficult for him to travel to Vridhachalam.

5. The learned Trial Judge after considering the arguments and perusing the records had dismissed the Transfer OP stating that the petitioner had come forward with a false case by claiming his leg had been



amputated, whereas, he had only undergone surgery for fixing plates. That apart, the petitioner had falsely claimed to reside at Cuddalore, while his actual residence is at Kurinjipadi.

6. Heard the learned counsel for the petitioner and perused the records.

7. A perusal of the order passed by the learned Principal District Judge, Cuddalore, indicates that the learned Judge, after taking into account the fact that the petitioner had come forward with a false case, has rightly dismissed the Transfer O.P. I see no reason to interfere with the order passed by the learned Principal District Judge, Cuddalore, as the grounds for seeking transfer are based on a false statement.

8. Accordingly, the Civil Revision Petition stands dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

03.02.2025

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

1.The Principal District Court, Cuddalore District, Cuddalore.



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P.T. ASHA. J.,

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