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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.03.2025

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P.(PD)(MD)No.854 of 2025

and

C.M.P(MD)No.4528 of 2025

T.Mani

...Petitioner/Respondent

Vs.

M.Mahendran

...Respondent/Petitioner

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to call for the entire records connected with the order in Transfer OP.No. 68 of 2023 dated 31.01.2025 passed by the Principal District Court, Trichy and set aside the same.

For Petitioner : Mr.S.Malaikani

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ORDER

The present revision petition has been filed by the respondent in Tr.O.P.No.68 of 2023, on the file of the Principal District Court, Tirchirappalli, challenging the order dated 31.01.2025.



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2.The defendants in O.S.No.1302 of 2022, on the file of the Second Additional Sub Court, Tiruchirappalli, had filed the above said Tr.O.P. before the Principal District Court, Tiruchirappalli, to transfer the said suit to the file of Fourth Additional Sub Court, Tiruchirappalli, to try along with O.S.No.52 of 2023.

3.The learned Principal District Judge, Tiruchirappalli, has found that both the suits are interconnected and the parties involved in both the suits are one and the same. After arriving such a finding, the learned Principal District Judge, Tiruchirappalli, has allowed Tr.O.P. transferring the suit pending before the II Additional Sub Court, Tiruchirapalli, to IV Additional Sub Court, Tiruchirappalli. This order is under challenge.

4.According to the learned Counsel appearing for the revision petitioner, the second suit was filed suppressing the pendency of the first suit and therefore, the first suit should not be transferred to be tried along with the second suit. According to him, the second suit should have been stayed.



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5.Considering the fact that the parties, properties and issues involved in both the suits are one and the same and both the suits are pending before the Sub Court, Tiruchirappalli, the order passed by the learned Principal District Judge, Tiruchirappalli, cannot be found fault with. In such circumstances, there are no merits in the revision petition.

6.Accordingly, this Civil Revision Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is also closed.

19.03.2025

Internet:Yes/No
Index:Yes/No
RJR

To

- 1.The learned Principal District Judge, Trichy.
- 2.The learned II Additional Sub Judge, Tiruchirapalli.
- 2.The learned IV Additional Sub Judge, Tiruchirappalli.

Copy to:-

The Section Officer,
VR Section,
Madurai Bench of Madras High Court, Madurai.



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R.VIJAYAKUMAR, J.

RJR

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