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Tr.C.M.P.No.105 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2026

PRESENT:

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.C.M.P. No.105 of 2024

and

C.M.P.No.2363 of 2024

1.Sumathi

2.R.Suseela Devi

3.Suresh

... Petitioners

Vs.

1.Jayabalan

2.Pattulingeswari

3.Nanjammal

4.S.Savithiri

5.G.Poovathal

6.G.Yasodha

7.N.Sundaramurthy

8.S.Samathal

9.N.Poonkodi

10.The State of Tamil Nadu,
Rep., by the District Collector,
Tiruppur.

11.The Sub-Collector,
Tiruppur.

12.The Revenue Divisional Officer,
Tiruppur.

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13.The Tahsildar,
Tiruppur South Taluk,
Tiruppur.

14.The Village Administrative Officer,
Andipalayam South Taluk,
Tiruppur South Taluk,
Tiruppur.

15.The Commissioner,
Tiruppur Municipal Corporation,
Tiruppur.

16.The Sub-Registrar,
Joint-I, Sub-Registrar Office,
Tiruppur.

... Respondents

PRAYER: : Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure to withdraw the suit in O.S.No.450 of 2023 pending before the I Additional District Judge's court, Tiruppur and transfer the same to the II Additional District Judge's Court, Tiruppur to be tried along with the suit in O.S.No.559 of 2021 and thus render justice.

For Petitioners : Mr.C.R.Prasanan.
For Respondents : Mr.Sam Jayaraj Houston for
M/s.Sarvabhauman Associates for R1 & R2.
R3 to R7 & R9 – No appearance.
R8 – Not ready in notice.
Mr.Abishek Murthi, Standing Counsel for R15.
Mr.B.Tamilnidhi, Additional Government
Pleader for R10 to R14 & R16.



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ORDER

Heard.

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2. The parties are embroiled in multiple litigations relating to the very same subject properties. The O.S. No.444 of 2004 on the file of the District Munsif Court ,Tiruppur arising out of earlier proceedings is dismissed on 20.12.2024. During the pendency of the said suit, further proceedings arose, including O.S. No.559 of 2021 pending on the file of the II Additional District Judge's Court, Tiruppur, and O.S. No.450 of 2023 pending on the file of the I Additional District Judge's Court, Tiruppur.

3. The petitioners herein (who are defendants 1 to 3 in O.S. No.559 of 2021) seek withdrawal of O.S. No.450 of 2023 from the I Additional District Judge's Court, Tiruppur and transfer of the same to the II Additional District Judge's Court, Tiruppur, to be tried along with O.S. No.559 of 2021, contending that the subject matter and issues substantially overlap, and that separate trials may result in conflicting findings and multiplicity of proceedings.

4. Considering the nature of the disputes, the pendency of connected suits concerning the same properties, and the need to avoid inconsistent decisions, this



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Court is satisfied that it is just and proper that both suits are placed before one Court for effective adjudication.

5. Accordingly, Tr.C.M.P. No.105 of 2024 is allowed. O.S. No.450 of 2023 on the file of the I Additional District Judge's Court, Tiruppur, is withdrawn and transferred to the file of the II Additional District Judge's Court, Tiruppur, to be tried along with O.S. No.559 of 2021. The I Additional District Judge's Court, Tiruppur, shall transmit the entire records to the II Additional District Judge's Court, Tiruppur, within three (3) weeks from the date of receipt of this order and the II Additional District Judge's Court, Tiruppur shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order. Interim stay granted by this Court on 04.11.2024 shall stand vacated and C.M.P. No.2363 of 2024 is closed. There shall be no order as to costs.

12.02.2026

shl/ay

Index : Yes/No

NCC : Yes/No

Speaking Order / Non-Speaking Order

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To

1. The District Collector,
Tiruppur.

2. The Sub-Collector,
Tiruppur.

3. The Revenue Divisional Officer,
Tiruppur.

4. The Tahsildar,
Tiruppur South Taluk,
Tiruppur.

5. The Village Administrative Officer,
Andipalayam South Taluk,
Tiruppur South Taluk,
Tiruppur.

6. The Commissioner,
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Tiruppur.

7. The Sub-Registrar,
Joint-I, Sub-Registrar Office,
Tiruppur.



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DR. A.D. MARIA CLETE, J

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Dated: 12.02.2026