



WEB COPY

TR CMP No. 241 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-02-2026

CORAM

THE HON'BLE DR.JUSTICE A.D.MARIA CLETE

TR CMP No. 241 of 2025

AND

CMP NO. 4654 OF 2025

N.Sundramurthy

S/o.Late Narayanasamy, Now Residing at Thenaruvi Apartments, No.F1, Block B , 22/23, 2nd Street, Venkateswara Nagar, Raja Garden, Pallikaranai, Chennai - 600 100.

..Petitioner(s)

Vs

1. Y.Geetha

W/o. Yokeshkumar, No.36 Pachammal Street, Annai Indira Nagar, Poonthottam, Velapadi, Vellore - 632 001.

2. T.S.K.Ganesh

S/o.Sundaramurthy, Thenruvi Apartments, No.F1 Block B 22/23, 2nd Street, Venkateswara Nagar, Raja Garden, Pallikaranai, Chennai - 600 100.

..Respondent(s)

To withdraw the case in OS.No.1/2022 on the file of the Principal District Court, Tiruvannamalai and transfer the same to Principal District Court, Chengalpet which is competent to deal with the matter and thus render justice.

**CMP No. 4654 of 2025**

To stay all further proceedings in OS.No.1/2022 on the file of the
Prl.Dist.Court, Tiruvannamalai, pending disposal of the above TR CMP.

For Petitioner(s): M/s.K.RAJASEKARAN

For Respondent(s): M/s.B. Vasanthan

Order

Heard.

2. The petitioner/first defendant seeks transfer of O.S. No. 1 of 2022 pending on the file of the Principal District Court, Tiruvannamalai to a Chennai forum, stating that the suit filed by his daughter seeks partition and declaration to set aside settlement deeds in favour of his son, that he is a senior citizen with health constraints, presently staying at Chennai, and that travel to Tiruvannamalai causes serious difficulty; he also refers to one of the suit schedule properties being at Chennai. The first respondent/plaintiff opposes transfer, asserting that the petitioner is already represented by counsel, that the suit has progressed (including framing of issues) and the transfer petition is a belated attempt to delay, that witnesses and properties are within the present jurisdiction, and that shifting the forum would prejudice and protract the suit proceedings.



3. A petition under Section 24 CPC is decided on the ends of justice and the balance of convenience. Here, the petitioner's principal ground is age/health and travel difficulty. However, the petitioner is already contesting through counsel and that the suit has proceeded substantially. Transfer is not ordered as a matter of course. The Court must also consider the stage of the suit and whether shifting the forum would interrupt an ongoing trial and cause avoidable delay. In the present case, the petitioner has not shown that he is unable to contest the suit at Tiruvannamalai in a meaningful way or that justice would be defeated without transfer. On the other hand, transfer at this stage is likely to disrupt the progress of the suit and delay the trial. Therefore, the grounds made out are not sufficient to order transfer.

4. At the same time, having regard to the petitioner's stated difficulty, the trial Court is requested to proceed with the suit expeditiously and avoid unnecessary adjournments. If any application is made, the trial Court may consider appropriate facilitative measures such as video-conferencing subject to feasibility and in accordance with law, as it may deem fit to meet the ends of justice in the facts and circumstances of the case. It is clarified that this order is confined only to the question of transfer and this Court expresses no opinion on the merits of the suit or the rival claims.



5. Accordingly, Tr.C.M.P. No. 241 of 2025 is dismissed. The connected C.M.P. is closed. No costs.

WEB COPY

26-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

DPQ



WEB COPY

TR CMP No. 241 of 2



DR.A.D.MARIA CLETE J.

DPQ

**TR CMP No. 241 of 2025
AND
CMP NO. 4654 OF 2025**

26-02-2026



TR CMP No. 241 of 2025

To

1. The Principal District Court,
Tiruvannamalai
2. The Principal District Court,
Chengalpet

WEB COPY