



WEB COPY

TR CMP No. 1049 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-02-2026

CORAM

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

TR CMP No. 1049 of 2024

and

TR CMP No. 1050 of 2024

TR CMP No. 1049 of 2024

1. Anitha
2. Magesh

..Petitioners

Vs

1. Karunagaran
2. Manogaran
3. Elangovan
4. Elavarasan
5. Tamilarasi
6. Kalaiarasi

..Respondents

TR CMP No. 1050 of 2024

Anitha

W/o. Magesh, Mariamma Koil
street, Allivizhakam, Sembanithiruppu Post,
Seergali Taluk, Nagapattinam District

..Petitioner

Vs



1. Karunagaran
2. Taluk Surveyor, Thiruvengadu
Tahsildar Office, Seergali,
Seergali Taluk
3. Circle Sub-Inspector(Land Surveyor)
Tahsildar Office, Seergali, Seergali Taluk
4. Sub Inspector(land Survey)
Tahsildar Office, Seergali, Seergali Taluk
5. Thasildhar
Tahildar office, Seergali, Seergali Taluk
6. District Collector
Collectorate, Nagapattinam Town,
Nagapattinam

..Respondents

Prayer in TR CMP No. 1049 of 2024: Petition filed under section 24 of CPC to withdraw and transfer the O.S.No.232/2020 on the file of the District Munsif Court, Sirgali to Sub Court, Sirgali and try along with O.S.No.204/2023 and O.S.No.356/2023 pending before Sub Court, Sirgali.

Prayer in TR CMP No. 1050 of 2024: Petition filed under section 24 of CPC to withdraw and transfer the O.S.No.112/2020 on the file of the District Munsif Court, Sirgali to Sub Court, Sirgali and try along with O.S.No.204/2023 and O.S.No.356/2023 pending before Sub Court, Sirgali.

TR CMP No. 1049 of 2024

For Petitioners:

Ms.S.Vaitheeswari

For Respondents:

Mr.R.Shivakumar



for M/s.K.M.Vijayan Associates for R2
R1, R3 to R6 – No appearance

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TR CMP No. 1050 of 2024

For Petitioner: Ms.S.Vaitheeswari

For Respondents: Mr.B.Tamil Nidhi,
Additional Govt.Pleader for R2 to R6
R1-No appearance

Order

Heard.

2. These Transfer Civil Miscellaneous Petitions have been filed under Section 24(1) CPC, seeking transfer of O.S.No.232 of 2020 and O.S.No.112 of 2020 from the file of the District Munsif Court, Sirgali to the file of the Sub-Court, Sirgali, so that the suits may be tried along with O.S.No.204 of 2023 and O.S.No.356 of 2023 stated to be pending on the file of the Sub-Court, Sirgali.
3. Learned counsel for the petitioner submitted that, in view of multiple litigations touching upon the same subject matter, if the matters are tried by different courts, there is likelihood of conflicting findings, and therefore, a joint trial before one Court would subserve the ends of justice.



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4. This Court notes that the relief sought is essentially a transfer between Courts functioning within the same civil jurisdiction/district judiciary. In such circumstances, an efficacious statutory remedy is available to the petitioner to invoke Section 24(1) CPC before the Principal District Judge having administrative control over the Courts concerned, for appropriate orders, if so advised.
5. In the absence of any exceptional circumstance warranting exercise of discretion by this Court in the first instance, these Transfer Civil Miscellaneous Petitions are not entertained and are liable to be dismissed, leaving it open to the petitioner to approach the Principal District Judge, if so advised.
6. Accordingly, Tr.C.M.P.Nos.1049 and 1050 of 2024 are dismissed. Consequently, connected miscellaneous petitions, if any, are closed. There shall be no order as to costs.

05-02-2026

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

SHL

To:

1. The District Munsif Court, Sirgali
2. The Sub Court, Sirgali



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DR.A.D.MARIA CLETE J.

SHL

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AND
TR CMP NO. 1050 OF 2024**

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