



Tr.CMP.No.761 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2026

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Tr.CMP.No.761 of 2025

and CMP.No.17725 of 2025

M.Ramesh

...Petitioner

Vs.

1. D.Gomathy
2. D.Devika
3. S.Deepa
4. Sub-Register Office
Ambattur
Chennai – 53.

...Respondents

Prayer in Tr.C.M.P. No.761 of 2025: This Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code to pass an order of transfer of the original suit in O.S.No.186 of 2016 pending on the file of the District Munsif Court at Ambattur to be tried along with the original civil suit in O.S.No.101 of 2014 pending on the file of Sub-ordinate Court, at Ambattur.

Prayer in C.M.P. No.17725 of 2025: This Civil Miscellaneous Petition filed under Section 151 of Civil Procedure Code to pass an order of stay of all further proceedings in O.S.No.160 of 2023 on the file of the District Munsif Court, Ambattur and in O.S.No.101 of 2014 on the file of the Sub-Ordinate Court at Ambattur till the disposal of the present Transfer Civil Miscellaneous Petition.



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For Petitioner : Ms.Vasudha Thiagarajan
For R1 : Mr.V.Manohar
For R4 : Mr.B. Tamil Nidhi,
Additional Government Pleader

ORDER

Heard.

2. The petitioner is the 3rd defendant in O.S.No.186 of 2016 on the file of the District Munsif Court, Ambattur. The 1st respondent herein has filed the said suit for permanent injunction in respect of the suit property.

3. This Transfer Civil Miscellaneous Petition has been filed seeking withdrawal of O.S.No.186 of 2016 pending on the file of the District Munsif Court, Ambattur and transfer the same to the file of the Subordinate Court, Ambattur, to be tried along with O.S.No.101 of 2014.

4. The petitioner would state that the subject matter of both suits pertains to the same property i.e., Door No. 27/31, Plot No.66A North Part Street, Venkadapuram, Ambattur, Tiruvallur District, and therefore seeks transfer.



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5. This Court notes that both the Courts viz., the District Munsif Court, Ambattur and the Subordinate Court, Ambattur, are 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 CPC before the Principal District Judge having administrative control over both the said Courts, for appropriate orders, if so advised.

6. In the absence of any exceptional circumstance made out for this Court to exercise its discretionary jurisdiction under Section 24 CPC in the first instance, this Transfer Civil Miscellaneous Petition is not entertained and stands dismissed, leaving it open to the petitioner to approach the Principal District Judge, if so advised.

7. Accordingly, Tr.C.M.P. No.761 of 2025 is dismissed. Interim stay granted by this Court on 25.07.2025 shall stand vacated and C.M.P. No.17725 of 2025 is closed. There shall be no order as to costs.

05.01.2026

Index : Yes/No

Speaking order : Yes/No

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To

1. The District Munsif Court, Ambattur.
2. The Sub-ordinate Court, Ambattur



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DR.JUSTICE A.D.MARIA CLETE.J.,

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