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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-11-2026

CORAM

THE HON'BLE MRS.JUSTICE N. MALA

TR CMP No. 1184 of 2025
AND
CMP NO. 26716 OF 2025

1. Deepa Veeraraghavan
   W/o. Mani Veeraraghavan, Res. at No.3/319B,
   Vallalar Road, East Coast Road, Uthandi,
   Chennai - 119.
2. Mani Veeraraghavan
   S/o. Padmashri Dr.N. Veeraraghavan, Res. at
   No.3/319B, Vallalar Road, East Coast Road,
   Uthandi, Chennai - 119.

..Petitioner(s)

Vs

Joan Rajadas
W/o. Rajadas, Old No.52, New No.104, VGP
Salai, Saidapet, Chennai - 015.

..Respondent(s)

CMP No. 26716 of 2025

1. Deepa Veeraraghavan
   W/o. Mani Veeraraghavan, Res. at No.3/319B,
   Vallalar Road, East Coast Road, Uthandi,
   Chennai - 119.
2. Mani Veeraraghavan
   S/o. Padmashri Dr.N. Veeraraghavan, Res. at
   No.3/319B, Vallalar Road, East Coast Road,
   Uthandi, Chennai - 119.

..Appellant(s)

Vs

Joan Rajadas
W/o. Rajadas, Old No.52, New No.104, VGP
Salai, Saidapet, Chennai - 015.

..Respondent(s)

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TR CMP No. 1184 of 2025

Petition filed under Section 24 of CPC to withdraw OS No.354 of 2024, pending on the file of the District Munsif Sholinganallur and transfer the same to be tried along with OS No.590 of 2025 pending on the file of the Principal District Judge, Chengalpet.

For Petitioner(s): S.Vasudevan
M. Sathyan

For Respondent(s): No appearance

Order

(1) There is no representation for the respondent.

(2) The petition is filed for withdrawal of OS.No.354/2024 pending on the file of the learned District Munsif, Sholinganallur, and to transfer the same to the file of the learned Principal District Judge, Chengalpattu, to be tried along with OS.No.590/2025 pending on its file.

(3) The 1st petitioner along with her father, mother and brother, purchased an extent of 1 acre and 230 sq.ft., in Uthandi Village, under a Sale Deed dated 31.08.1981. The 1st petitioner along with the above persons, sold an extent of 10,800 sq.ft., of land in s.No.3/1A Part [S.No.3/22 Part as per patta] in the aforesaid total extent, in favour of M/s.B.Kumar and K.Ramesh, together with the right of way over the passage. The said persons in turn, sold the property to the respondent. The 1st petitioner, in the affidavit states that the passage running North to South of an extent of 2,370 sq.ft., is the only access to the petitioners' remaining lands on the

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southern side of the passage. The 1st petitioner further states that she is now absolutely entitled to the entire extent, in view of the settlement executed in her favour by her parents and brother. The 1st petitioner states that in the Sale Deed dated 12.09.1997, executed in favour of M/s.B.Kumar and K.Ramesh, only a right of way over the said passage was given and not a share or title over the said passage. The petitioners further state that while so, the respondent who purchased the property from M/s.B.Kumar and K.Ramesh, demolished the existing wall put up by the 1st petitioner and also filed the suit in OS.No.262/2023, on the file of the learned District Munsif, Alandur, for bare injunction, against the petitioners herein. The petitioners state that the said suit was transferred to the newly constituted Court at Sholinganallur and renumbered as OS.No.354/2024. Meanwhile, since the respondent started to put up construction in the passage, the petitioners filed a comprehensive suit in OS.No.590/2025 for declaration, injunction and other reliefs. The petitioners have also filed IA.No.2/2025 for an injunction restraining the respondent from raising any construction on the passage. The petitioners further state that since the parties, issues, evidence and documents in both suits are one and the same, to avoid conflict of judicial interest, it was necessary to file the petition for transfer.

(4) The sole respondent, though appeared through a counsel on the earlier occasion, has not filed any counter affidavit.

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(5) The learned counsel for the respondent is absent, even though the matter is listed under the caption ‘’For Orders’’ today.

(6) Heard the learned counsel for the petitioners and perused the materials placed on record.

(7) It is apparent that the respondent has filed OS.No.354/2024 on the file of the learned District Munsif-cum-Judicial Magistrate, Sholinganallur, for bare injunction against the petitioners and the same is pending for framing of issues. The petitioners have also filed a comprehensive suit in OS.No.590/2025, on the file of the learned Principal District Judge, Chengalpattu, for declaration, injunction and other reliefs.

(8) This Court finds from the materials on record that the litigating parties and the subject matter of the two suits are common in nature. Common facts and law are involved in both the suits and therefore, this Court is of the firm view that if the suits are tried separately, there is a possibility or scope for arriving at conflicting decisions, which is most desirable to be avoided in the interests of justice.

(9) Under the circumstances, this Court is of the view that a *prima facie* case is made out for transfer of the case.

(10) Hence, the Transfer Civil Miscellaneous Petition is ***allowed*** and the suit in OS.No.354/2024, pending on the file of the learned District Munsif,

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Sholinganallur, is ***withdrawn and transferred to*** the file of the learned Principal District Judge, Chengalpattu, to be tried along with OS.No.590/2025. No costs. Consequently, the connected miscellaneous petition is closed.

10-11-2026

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

AP

To
1.The Principal District Judge, Chengalpattu.
2.The District Munsif, Sholinganallur.

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N.MALA J.

AP

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