



TR CMP(MD). No.282 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 20.01.2026

CORAM

THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

TR CMP(MD). No.282 of 2024

and

CMP(MD)No.6391 of 2024

P.Sukumaran

... Petitioner

Vs.

1. A.Chitra

2. K.Kalaiselvi

3. P.Ramesh

4. P.Thirunavukarasu

5. P.Sambamoorthy

... Respondents

PRAYER :- Petition filed under Section 24 of the Civil Procedure Code, 1908, to withdraw the case in O.S.No.321 of 2022 pending before the Principal Sub-Court, Thanjavur and transfer the same to the file of the Principal Sub-Court, Madurai.

For Petitioner : Mr.R.Alagumani

ORDER

The application for transfer of the case invoking Section 24 of the Code of Civil Procedure, 1908 is relating to a property dispute between the parties. The case in O.S.No.321 of 2022 before the Principal Sub-



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Court, Thanjavur seeking partition is sought to be transferred by the petitioner/2nd defendant to Principal Sub-Court, Madurai.

2. The parties are hereinafter referred to as by the description in the petition in O.S.No.321 of 2022 before the Trial Court for the sake of clarity and convenience.

3. Having regard to the nature of order proposed to be passed in this Petition, which would not cause any prejudice to the Plaintiff and other Defendants in the suit, notice to them is dispensed with.

4. Heard Mr.R.Alagumani, learned counsel for the Second Defendant and perused the materials placed on record, apart from the pleadings of the parties.

5. Learned counsel for the Second Defendant seeks transfer of the case on the ground that since the Fifth Defendant is a practicing Lawyer in the Trial Court, he is dragging on the proceedings. However, perusal of the B-Diary extract shows that 'Trial is not in the list'.



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6. In view of the above, the Trial Court is expected to conduct the case as per seniority list and it shall be ensured by the Principal Sub-Court, Thanjavur that there is atleast one effective hearing every month showing progress of the case and quarterly reports in that regard shall be sent to the Register (Judicial) of the Court till final orders are passed in the case.

7. In the result, the Transfer Civil Miscellaneous Petition is disposed on the aforesaid terms. No costs. Consequently, the connected Miscellaneous Petition is closed.

20.01.2026

Index :Yes/No
Web :Yes/No
Speaking/Non Speaking
rgm

Note: (I) If the quarterly report is not received from the Sub-Court or it is reported either of the parties are not cooperating to comply with the aforesaid order, the matter shall be listed before the Court.



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MOHAMMED SHAFFIQ,J.

rgm

To

The Principal Sub-Court, Thanjavur

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