



C.R.P. (MD) No. 3021 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.01.2026

CORAM

THE HONOURABLE MR.JUSTICE **N.SENTHILKUMAR**

C.R.P.(MD)No.3021 of 2023

and

C.M.P.(MD)No.15556 of 2023

A.Kanagaraj

... Petitioner

Vs.

A.Balasubramanian

... Respondent

PRAYER: Petition filed under Article 227 of the Constitution of India to call for the records pursuant to the impugned order of transfer dated 04.08.2023 by the Principal District Judge, Srivilliputhur, by way of office note by transferring E.P.No.89 of 2022 in O.S.No.161 of 2013 from the file of the Subordinate Judge, Srivilliputhur to the file of the Additional Subordinate Judge, Srivilliputhur.

For Petitioner

: Mr. Lakshmi Gopinathan
for M/s.Polax Legal Solution

For Respondent

: Mr. M.Vijaya Rathinam



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ORDER

This Civil Revision Petition challenges the order of transfer dated 04.08.2023 by the Principal District Judge, Srivilliputhur, by way of office note by transferring E.P.No.89 of 2022 in O.S.No.161 of 2013 from the file of the Subordinate Judge, Srivilliputhur to the file of the Additional Subordinate Judge, Srivilliputhur.

2.Heard Mr.Lakshmi Gopinathan, learned Counsel for the petitioner and Mr.M.Vijaya Rathinam, learned Counsel for the respondent and perused the materials placed on record apart from the pleadings of the parties.

3.The petitioner challenges the transfer of E.P.No.89 of 2022 in O.S.No. 161 of 2013 from the file of the Subordinate Judge, Srivilliputhur to the file of the Additional Subordinate Judge, Srivilliputhur, that has been made without any notice.

4.Section 24 of the Civil Procedure Code, 1908 makes it clear that the transfer could be made on its own motion without notice except other cases.



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5. The learned Counsel appearing for the petitioner submits that no notice has been given for transfer and also no reasons for such transfer have been disclosed.

6. As already pointed out, for its own motion, notice is not required for transfer of a case. As the transfer appears to be triggered from a complaint by an Advocate against a Judicial Officer, the cases can be transferred. But in the instant case, it is the matter of administrative transfer. The transfer has been made by the Principal District Judge, Srivilliputhur, in exercise of power under Section 24 of the Civil Procedure Code, 1908. Therefore, there cannot be a ground to say that it is not an administrative order. It is purely an administrative order, for which no notice is required. The petitioner has not been able to show any prejudice. Further, there is no reply from the petitioner for choosing the Judge particularly.

7. In view of the above, there is no justification to interfere with the impugned order and the Transferee Court shall proceed further in accordance with law.



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8. In the result, the Civil Revision Petition is dismissed with the aforesaid clarification. No costs. Consequently, connected miscellaneous petition is closed.

21.01.2026

Index : Yes/No

NCC : Yes/No

cmr

To

1. The Principal District Judge, Srivilliputhur.

2. The Additional Subordinate Judge, Srivilliputhur.

3. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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N.SENTHILKUMAR, J.

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