

In the court of the Principal District Judge, Cuddalore District, Cuddalore

**Present: Tmt.G.Subathira Devi, M.L.,
Principal District Judge, Cuddalore.**

Monday, the 23rd day of March, 2026

Transfer O.P.No.29/2026

(TN CD01-000876-2026)

1. Kala

2. Sundaramoorthy

... Petitioners

/Versus/

1. The District Collector,
Cuddalore District, Cuddalore.

2. The Tahsildar, Cuddalore.

3. Selvakumar

4. Dhanalakshmi

5. Tamilselvi

6. Amsavalli

7. Anandavalli

8. Gowthami

... Respondents

This petition came on 18.03.2026 before me for final hearing in the presence of Thiru.P.Sathiyaraj, Advocate for the Petitioners and of Thiru.K.Raman, Government Pleader for the 1st and 2nd Respondents and of Thiru.L.Devanathan, Advocate for the Respondents 3 to 8 and upon hearing both side arguments and upon perusing the case records and having stood over for consideration till this day, this court delivered the following:

ORDER

This petition is filed by the Petitioners U/s.24 of CPC seeking to pass an order to transfer the Appeal suit in A.S.No.2/2025 on the file of 1st Additional Sub Court, Cuddalore to try along with the appeal suit in A.S.No.1/2025 on the file of the Principal Sub Court, Cuddalore and for cost and such other reliefs.

2. The petition averments are as follows:

The petitioners have filed the appeal in A.S.No.1/2025 on the file of Principal Sub Court, Cuddalore to set aside the decree and judgment in O.S.No.57/2022 against the respondents and another appeal have filed in A.S.No.2/2025 on the file of 1st Additional Sub Court, Cuddalore to set aside the decree and judgment in O.S.No.202/2021. The reliefs sought in the both appeal inter related and the parties are also same and if the appeals are separately filed. They may be conflict to decision in the both the appeals and to avoid multiplicity of proceedings. Therefore it is necessary that the both the appeal are to be tried together. Hence, the petitioners are filing this petition to transfer the appeal in A.S.No.2/2025 pending before the 1st Additional Sub Court, Cuddalore to be tried along with appeal in A.S.No.1/2025 on the file of the Principal Sub Court, Cuddalore. Hence, the petitioners pray to allow the petition as prayed for.

3. The Respondents 1 & 2 and 3 to 8 counsels respectively made an endorsement that no counter

4. No oral or documentary evidence adduced on the either side.

5. The Point for consideration :

1. Whether the petition is to be allowed or not?

6. Point - 1 :-

This petition is filed by the Petitioners U/s.24 of CPC seeking to pass an order to transfer the Appeal suit in A.S.No.2/2025 on the file of 1st Additional Sub Court, Cuddalore to try along with the appeal suit in A.S.No.1/2025 on the file of the Principal Sub Court, Cuddalore and for cost and such other reliefs.

7. Heard both side arguments. Perused the case records and case status in ecourt service.

8. On perusal of the case records and case status in ecourt service they found that the Respondents 3 to 8 have filed a suit in O.S.No.202/2021 before the Principal District Munsif Court, Cuddalore as against the petitioners herein and the petitioners herein have filed a suit in O.S.No.57/2022 before the Principal District Munsif Court, Cuddalore as against the respondents herein and both the suits were tried as jointly. After full trial, the trial court delivered the common judgment in both the suits on 18.12.2024 that the suit in O.S.No.202/2021 decreed in favour the Respondents 3 to 8 and the suit in O.S.No.57/2022 was dismissed as against the petitioners. Aggrieved the common judgment and decree delivered by the trial court in O.S.No.57/2022, the petitioners herein have filed the appeal Suit in A.S.No.1/2025 before the I Additional Sub Court, Cuddalore and another appeal suit in A.S.No.2/2025 before the Principal Sub Court, Cuddalore as against the judgment and decree in O.S.No.202/2021. A.S.No.2/2025 has adjourned to 30.03.2026 for await records. A.S.No.1/2025 has adjourned to 25.03.2026 for argument. The above both the appeal suits filed based on the common judgment delivered in O.S.No.202/2021 and O.S.No.57/2022 but in different court. Under these circumstances, if the above said both appeal suits are tried in different courts, certainly it may be possible for conflicting of decisions. There is no objection raised on the Respondents and also reported that no counter. Hence, considering the facts and circumstances of the case and considering the parties and relief sought for in both appeal suits are one and the same and the both suits are still pending, this court decides that it is appropriate to try the above said cases jointly in the same court to avoid conflict of decision and multiplicity of proceedings. Hence, this court decides that the petition is found to be allowed. Thus, the point is answered accordingly.

9. In the result, the I Additional Subordinate Judge, Cuddalore is directed to transfer the appeal suit in A.S.No.2/2025 to the file of the Principal Sub Court, Cuddalore. The Principal Subordinate Judge, Cuddalore is directed to receive the same and it is to be tried jointly along with the appeal suit in A.S.No.1/2025 pending on the file of the Principal Sub Court, Cuddalore as per the circumstances warrants and to dispose the suits according to law and this petition is allowed accordingly. No costs.

Dictated to the steno-typist and directly typed by her in computer, corrected and pronounced by me in open Court, this the 23rd day of March, 2026.

Principal District Judge,
Cuddalore.

Encl:

Both side Evidence and Exhibits : NIL

Principal District Judge,
Cuddalore.