



IN THE COURT OF DISTRICT JUDGE, MAYILADUTHURAI.

PRESENT: Dr. L.S. SATHIYAMURTHY, M.A., M.L., Ph.D.,

District Judge, Mayiladuthurai.

Monday, the 06th day of April 2026

CNR. No. TNMY-0100-0541-2026

Tr.O.P. No. 21/2026

P. Dhandapani

....Petitioner

Vs

K. Sundarapandiyan

....Respondent

This petition came up for final hearing on 26.03.2026 in the presence of Thiru. J. Pari, Advocate appeared for the Petitioner and Thiru. R. Seyon, Advocate appeared for the Respondent and upon hearing both sides and upon perusing the record this court passed the following

ORDER

This is a petition filed U/s. 24 of CPC to the suit in OS 283/2021 pending on the file of the Principal District Munsif Court, Mayiladuthurai to transfer it to the Additional District Munsif Court, Mayiladuthurai.

2. Heard, the learned counsel appearing for the petitioner. Perused the averments in the petition. Carefully considered the oral objections made by the learned counsel appearing for the respondent.

3. One Dhandapani has claimed that he purchased a property described as 'A' schedule in plaint OS No. 300/2021, under a sale deed dated 15.10.1998. There is a dispute between 6 feet common pathway between the said Dhandapani and one Sundarapandiyan defendant in the suit. There are two other suit in OS No. 142/2021 and 283/2021 are also pending on the file of the Additional District

Munsif Court, Mayiladuthurai and Principal District Munsif Court, Mayiladuthurai respectively. In both the suit the parties are one and the same, the subject matters also similar in all the suits. Therefore, the petitioner has come forward with this petition U/s. 24 of CPC to withdraw the suit in OS No.283/2021 from the file of the Principal District Munsif Court, Mayiladuthurai and transfer them to try simultaneously, along with suits in OS No.142/2021 and 300/2021. After careful consideration of the submission made on either side, this court is of view that the dispute in respect of 6 feet common pathway and the properties purchased under the sale deed dated.15.10.1998 is the subject matter in all suits. Further, in all the 3 suits the parties are one and the same. Therefore, if the suits are tried separately into different courts it would be difficult for the parties to produce the original documents in all the proceedings and also the major portion of oral evidence will be repetition in all these cases. Above all, there is also a possibility of conflict of opinions between two forums of law on the same subject matter and also between the same parties.

4. Under the circumstances, if a simultaneous trial of all the three suits, will reduce the burden of oral evidence and also help the parties from appearing before multiple forums.

In the result, this petition is allowed. Accordingly this suit in OS. No. 283/2021 is withdrawn from the file of the Principal District Munsif Court, Mayiladuthurai and transfer to the Additional District Munsif Court, Mayiladuthurai. The suit in OS. No. 283/2021 pending on the file of the Principal District Munsif Court, Mayiladuthurai and the suits in OS No.142/2021 and 300/2021 shall be tried simultaneously by the Additional District Munsif Court, Mayiladuthurai.

Dictated to the steno-typist, taken by her in short hand, transcribed by her in computer, corrected and pronounced by me in the open court this 06th day of April 2026.

**District Judge,
Mayiladuthurai.**

Annexures:-

Petitioner side witnesses and documents:- Nil

Respondent side witnesses and documents:- Nil

**District Judge,
Mayiladuthurai**

Copy To

1. The Principal District Munsif, Mayiladuthurai.
2. The Additional District Munsif, Mayiladuthurai.

Order

Tr.O.P No. 21 of 2026

Dated: 06.04.2026