

IN THE COURT OF PRINCIPAL DISTRICT JUDGE AT TIRUVALLUR

Present: Dr. J. JULIET PUSHPA, Ph.D.(Law)

Principal District Judge, Tiruvallur

Monday, the 6th day of April, 2026

Transfer Original Petition No.201/2024

(CNR No.TNTR010058962024)

- | | | |
|--------------------|-------|--------------------------------------|
| 1. C. Karpagavalli | | Transfer Petitioners/ Plaintiffs in |
| 2. C. Rajan | | OS.195/2021 on the file of Principal |
| 3. C. Parthipan | | District Munsif Court, Poonamallee |
| | | and defendants in OS No.250/2021 |
| | | on the file of Additional District |
| | | Munsif Court, Poonamallee |

//Versus//

- | | | |
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| 1. N. Ranganathan | 1 st Respondent / | Defendants in |
| 2. R.Ambika | OS.195/2021 on the file of Principal | District Munsif Court, Poonamallee |
| | and plaintiffs in OS No.250/2021 on | the file of Additional District Munsif |
| | Court, Poonamallee | |

This petition coming for final hearing before me on 26.03.2026 in the presence of M/s K. Balaraman Naidu, S. Muthukumaravel, Learned Counsel for Petitioner, and M/s M.K. Murali, learned counsel for the respondents, upon hearing both side and perusing the entire case records, this Court delivered the following :-

ORDER

Petition filed by the petitioner under Section 24 of Civil Procedure Code to withdraw the Original Suit in O.S.No. 195/2021 pending on the file of Principal

District Munsif Court, Poonamallee and to transfer the same to Additional District Munsif Court, Poonamallee to try along with OS No. 250/2021.

2. The averments in the Petition filed by Petitioners is as follows :-

According to the petitioners, they have filed a suit in OS.195/2021 before Principal District Munsif Court, Poonamallee as against the respondents for declaration and permanent injunction. The respondents filed OS.250/2021 on the file of Additional District Munsif Court, Poonamallee. The parties and the suit property and thus, the issues involved in both OS.195/2021 and OS.250/2021 are one and the same . Hence, if both the suits are tried in two different courts, there would be possibility of conflicting judgments and multiplicity of proceedings. Hence, it is necessary to transfer OS.195/2021 from the file of Principal District Munsif Court, Poonamallee for joint trial along with OS No. 250/2021 on the file of Additional District Munsif Court, Poonamallee.

3. The respondents have not contested this petition and the learned counsel for the respondents endorsed as “no counter”.

4. Neither oral evidence adduced nor documents marked by both side.

5. Now the point for consideration in this petition is

Whether the petition to transfer the suit in O.S.195/2021 from the file of Principal District Munsif Court, Poonamallee to the file of Additional District Munsif Court, Poonamallee to be tried along with O.S.250/2021 as sought by the petitioner is ordered to be allowed or not ?

6 POINT:

Both side heard. Records perused.

This petition is filed by the petitioner to withdraw the Original Suit in O.S. No. 195/2021 from the file of the Principal District Munsif Court, Poonamallee and to transfer the same to the file of the Additional District Munsif Court, Poonamallee to be tried with O.S.250/2021.

7. The respondents have not contested this petition and have no counter to this transfer petition.

8. On perusal of records and points put forth by the petitioner's counsel, it is learnt that the petitioners have filed OS.195/2021 before Principal District Munsif Court, Poonamallee for the relief of declaration and permanent injunction. Likewise, the respondents filed OS.250/2021 which is now pending before Additional District Munsif Court, Poonamallee for the relief of mandatory injunction and permanent injunction as against the petitioners herein.

9. On perusal of copy of plaints filed in this case, the suit property and parties are one and the same. The petitioners herein are the plaintiffs in OS.195/2021 and defendants in OS.250/2021 and the respondents are vice versa in the above suits. Further, the cause of action found in the plaints shows similar and on the same transaction.

10. As far as the stage of the both suits are concerned, both the suits are pending for trial. Thus, trial has not commenced. Thus, the issues involved in

OS.195/2021 is substantially connected with that in OS.250/2021. Thus, the case of the petitioners that the issues involved in both the suits are same is acceptable.

11. Since parties, and the suit property in both these suits are same, trying these suits in two different Courts will definitely lead to hardship to both parties. There will be possibility of conflicting judgments if both these suits are tried separately in two different courts since the issues involved in both the suits are substantially same. Section 24 of the Civil Procedure Code empowers this Court at any stage, to withdraw the original suit from the subordinate Court and to transfer the same. Therefore, since the issues involved in O.S. 195/2021 is substantially connected with OS. 250/2021, if both the suits are allowed to be decided in different courts, there is possibility of conflicting judgments. Even this petition is not contested by the respondents .

13. Thus, in view of the above discussions and facts and circumstances, in order to avoid conflicting findings by two different Courts, considering the facts that parties, issues involved and also the schedule of property in both the suits are same, to prevent multiple proceedings and conflicting decisions on the same cause of action , this Court is inclined to entertain this Transfer Original Petition, thereby ordering transfer of OS.195/2021 from the file of Principal District Munsif Court, Poonamallee to the file of Additional District Munsif Court, Poonamallee for disposal along with O.S.250/2021.

In the result, this petition is allowed. The entire case records in OS.195/2021 on the file of Principal District Munsif Court, Poonamallee is hereby withdrawn from its file and the same is transferred to the file of Additional District Munsif Court, Poonamallee for disposal along with O.S.250/2021. The learned Principal District Munsif, Poonamallee is directed to transmit the entire case records in OS.195/2021 to Additional District Munsif Court, Poonamallee within 15 days from the date of receipt of the order copy. The learned Additional District Munsif, Poonamallee is directed to dispose of both the suits (OS.195/2021 and O.S.250/2021) in accordance with Law, on merits and the learned Additional District Munsif, Poonamallee may decide as to whether joint trial or simultaneous trial, depending upon case nature. No costs.

Dictated to the Steno-Typist, transcribed by him, corrected and pronounced by me in the Open Court, on this the 6th day of April , 2026

**PRINCIPAL DISTRICT JUDGE,
TIRUVALLUR**

**Witnesses and Exhibits on the side of
Petitioners and respondents : NIL**

**PRINCIPAL DISTRICT JUDGE,
TIRUVALLUR**