



CRP(MD) NO. 56 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21-01-2025

CORAM

THE HONOURABLE MRS JUSTICE K. GOVINDARAJAN THILAKAVADI

CRP(MD) NO. 56 of 2025

Subbaraj and 2 others

Petitioner

Vs

Ramasamy and 9 others

Respondent

For Petitioner(s): Mr.S. Selva Aditya, Advocate

ORDER

The present revision is preferred against the order, dated 15.10.2024 passed in Tr.O.P.No.143 of 2023 on the file of the learned District and Sessions Court, Virudhunagar District at Srivilliputur in O.S.No.175 of 2019 on the file of the Sub Court, Aruppukkottai.

2. According to the revision petitioners, the respondents as plaintiffs filed the said suit seeking for the relief of declaration and mandatory injunction, in which the revision petitioners have filed their written statement in the year 2020. It is further stated that the first petitioner is a retired District Judge and the 2nd and 3rd petitioners are practising Advocates before the Courts of Virudhunagar District. The



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above suit was filed in the year 2019 and the respondents have filed an application four years later, in the year 2023 seeking to transfer the above said suit from the file of Sub Court, Aruppukkottai to the file of Sub Court, Virudhunagar on the ground that since the first petitioner is a retired District Judge and the 2nd and 3rd petitioners are practising as Advocates before Aruppukkottai Court. The case has to be transferred to Sub Court, Virudhunagar. Accordingly, the respondents filed a petition in Tr.O.P.No.143 of 2023 before the Principal District and Sessions Court, Virudhunagar District. The said application was resisted on the side of the revision petitioners and the same was allowed by the Principal District and Session Court, Virudhunagar. Aggrieved by the same, the present revision is preferred.

3. It is the contention of the revision petitioners that the first petitioner herein is a Senior Citizen and therefore, the learned counsel prays that if the suit is transferred to the Sub Court, Virudhunagar, the petitioners will be put to irreparable loss and hardship and hence, prays for staying the operation of the order, dated 15.10.2024 made in Tr.O.P.No.143 of 2023 on the file of the learned District and Sessions Court, Virudhunagar District at Srivilliputur in O.S.No.175 of 2019 on the file of the Sub Court, Aruppukkottai.

4.. Prima facie case is made out by the petitioner. Considering the facts and circumstances of the case this Court deems it fit that it is just and proper to stay all



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further proceedings in Tr.O.P.No.143 of 2023 on the file of the learned District and
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Sessions Court, Virudhunagar District at Srivilliputur.

5. Notice to the respondent returnable by 18.02.2025. Private notice is also permitted. There shall be an order of interim stay till then.

sd/-
21/01/2025

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/02/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP
TO
1 THE DISTRICT AND SESSIONS JUDGE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTUR.

2 THE SUBORDINATE JUDGE,
ARUPPUKKOTTAI.

ORDER
IN
CRP(MD) No.56 of 2025
Date :21/01/2025

SA/GSV/SAR. /13.02.2025/3P/3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.