

In Re: Bagiammal and anr.

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SooperKanoon Citation : sooperkanoon.com/773440

Court : Chennai

Decided On : Feb-07-1917

Reported in : AIR1918Mad488; (1917)32MLJ258

Appellant : In Re: Bagiammal and anr.

Judgement :

ORDER

John Wallis, Kt., C.J.

1. Section 24 of the Civil Procedure Code only authorises transfer to a Court competent to try the case. The City Civil Court is not such a court Section 3 of the City Civil Court Act C.M.P. No. 334 of 1917 and I do not think Section 24(4) of the Code of Civil Procedure makes it so.

2. It can only become so by the Chief Justice of the High Court authorising the City Civil Judge to try the case in his capacity of Small Cause Court Judge under Section 5(2) of the City Civil Court Act.

3. I so direct him.