



Tr.C.M.P(MD)No.144 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.04.2023**

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

Tr.C.M.P(MD)No.144 of 2023

and

C.M.P(MD)No.3264 of 2023

Kavitha

...Petitioner/
Respondent

Vs.

Raja

...Respondent/
Petitioner

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, to withdraw the case on the file of the Hon'ble Sub Court, Sattur in H.M.O.P.No.13 of 2023 and transfer the same to the Sub Court, Trichy.

For Petitioner : Mr.N.vijayarajan

For Respondent : No Appearance

ORDER

The present transfer civil miscellaneous petition has been filed to transfer H.M.O.P.No.13 of 2023 from the file of the Sub Court, Sattur to the file of the Sub Court, Trichy.



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2. Though the respondent has been served, there is no appearance either in person or through counsel. The name of the respondent is also printed in the cause list.

3. The petitioner in her affidavit filed in support of the petition stated as follows:

" 6. I humbly submit that only in order to escape from the proceedings of M.C.No.13 of 2022 instituted by me, the respondent has filed above H.M.O.P. with false set of allegations before the Hon'ble Sub Court, Sattur. I have to travel along with my children to appear for every hearing of the above case to sattur travelling around 450 kms to and fro. Hence my hailing children develop health issues since I have to travel with them for a long distance. The respondent has the tenancy to evade from discharging his legal duty towards my family. Merely to escape from the clutches of law he has filed the above vexatious case. Unless, the case is transferred to Sub Court, Trichy. I will be put to irreparable loss, mental agony and great hardship."

4. Being satisfied with the reasons given in the affidavit filed in support of the petition, I am inclined to allow the present Transfer Civil Miscellaneous Petition. Thus, the present Transfer Civil Miscellaneous Petition stands allowed by transferring H.M.O.P.No.13 of 2023 from the



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file of the Sub Court, Sattur to the file of the Sub Court, Trichy. No costs.

Consequently, connected miscellaneous petition is closed.

25.04.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To

- 1.The Sub Court, Sattur.
- 2.The Sub Court, Trichy.
- 3.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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C.SARAVANAN ,J.

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