



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.03.2016

CORAM

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THE HONOURABLE MS. JUSTICE V.M.VELUMANI

Tr.C.M.P(MD)No.120 of 2016

and

C.M.P(MD)No.2077 of 2016

K.Vinothbabu

.. Petitioner/Respondent

Versus

R.Radhika

.. Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code praying to withdraw and transfer the H.M.O.P.No.123 of 2015 on the file of the Sub-Court, Bhavani, Erode District to the Sub-Court, Trichirappalli.

For Petitioner : Mr.V.Singan

O R D E R

The Transfer Civil Miscellaneous Petition is filed to withdraw the case in H.M.O.P.no.123 of 2015, on the file of the Sub Court, Bhavani, Erode District to the Sub Court, Trichirappalli.

2.According to the petitioner, the distance between from his place of residence at Thathaiyengarpet to Bhavani Court is very far away. It is very difficult for him to travel Trichy to Bhavani. Further, the parents of the respondent are threatening the petitioner when he goes to the Court at Bhavani and they have hired Goondas to attack the petitioner. Therefore, he prayed for transfer the H.M.O.P.No.123 of 2015, on the file of the Sub-Court, Bhavani to Sub-Court, Trichirappalli.

3.The reason given by the petitioner with regard to the distance is not a valid ground for transfer. The petitioner has not substantiated his allegations by any acceptable evidence that the respondent's parents hired Goondas to attack him and they are preventing him to attend the Court proceedings and there is a life threat to him. In the circumstances, only on mere apprehension Tr.CMP.is filed and it is devoid of merits.

4.In the result, the Transfer Civil Miscellaneous Petition is dismissed. No Costs. Consequently, connected Civil Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar(Co.Dept.)

/True copy/



To

1 The Subordinate Judge, Bhavani

2 The Subordinate Judge, Tiruchirappalli

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