



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.11.2016

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.M. SUBRAMANIAMTr.C.M.P(MD)No.241 of 2016 and
C.M.P. (MD) .Nos.4753 to 4755 of 2016

R.Senthiru

... Petitioner

Vs.

M.Shenbagamuthu

... Respondent

Transfer Civil Miscellaneous Petition is filed under Section 24 r/w 151 of Civil Procedure Code, praying to direct the withdrawal of the petition in Cr.M.P.No.176 of 2014 in Cr.M.P.No.302/2013 in M.C.No.69 of 2009 on the file of the Hon'ble District Judge, Family Court, Madurai and to transfer the same to any other District Court in Madurai, pending disposal of the Transfer Civil Miscellaneous Petition.

For Petitioner	: Mr.R.Murugan
For Respondent	: No appearance

ORDER

The present petition is filed to transfer Cr.M.P.No.176 of 2014 in Cr.M.P.No.302/2013 in M.C.No.69 of 2009 from the file of Family Court, Madurai to any other District Court at Madurai.

2.The contention of the petitioner is that the Family Court is not acting upon the order already passed and even after filing of the Execution Petition, the petitioner is unable to realize the fruits of the order already passed. Hence, the petition for transfer.

3.None appeared for the respondent, inspite of printing the name of the counsel for the respondent in the cause title.

4.The present petition has been filed to transfer the case from Family Court, Madurai to any other District Court in Madurai and such petition for transfer under Section 24 of the Code of Civil Procedure is not maintainable before this Court in view of the principles laid down by this Court in **Reshma Begam and others v. Syed Nawab Jan and others** in **Tr.C.M.P(MD)No.458 of 2016 dated 03.11.2016.**



5. Accordingly, this Transfer Civil Miscellaneous Petition is dismissed. However, the petitioner is at liberty to approach the appropriate Court for such prayer. No costs. Consequently, connected Miscellaneous Petitions are also dismissed.

Sd/-

Assistant Registrar (Cr1)

/True copy/

Sub Assistant Registrar

To

The District Judge,
Family Court, Madurai.

+1 cc to M/s.R.Murugan, Advocate in SR.No. 65381

+1 cc to M/s.P.Natarajan, Advocate in SR.No. 65666

sj

CSL/GSV-PM/11.11.2016: 2P/4C

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