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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

Tr.C.M.P. (MD) .No.107 of 2018

and

C.M.P. (MD) .No.2377 of 2018

Eswari

... Petitioner

Vs.

Anandha Narayanan

... Respondent

Prayer: The Transfer Civil Miscellaneous Petition is filed under Section 24 of the Civil Procedure Code to withdraw the H.M.O.P.No.39 of 2017 on the file of the Sub Court, Muthukulathur and transfer the same to the file of Subordinate Judge at Tambaram.

For Petitioner : Mr.S.Karthik

For Respondent : Mr.J.Senthil Kumariah

O R D E R

The Transfer Civil Miscellaneous Petition has been filed to transfer the H.M.O.P.No.39 of 2017 on the file of the Sub Court, Muthukulathur, to the file of Subordinate Judge at Tambaram.

2. The petitioner and the respondent got married on 06.07.2006 and a male child was born to them and they lived in Chennai up to 2008. Due to misunderstanding, they are living separately. The respondent has filed H.M.O.P.No.46 of 2017 before the Sub Court, Paramakudi for the relief of divorce and the same was transferred to the Sub Court, Muthukulathur vide H.M.O.P.No.39 of 2017 and the same is posted for appearance and counter on 08.03.2018.

3. The learned counsel appearing for the petitioner would submit that the petitioner is working in a private company at Chennai and hence, she could not appear before the Sub Court, Muthukulathur. He would further submit that the respondent is highly influential person in Paramakudi and Muthukulathur and the petitioner apprehends danger to her and hence, she seeks transfer of the case in H.M.O.P.No.39 of 2017 on the file of the Sub Court, Muthukulathur, to the file of Subordinate Judge at Tambaram.

4. The learned counsel appearing for the respondent would submit that only to drag on the proceedings, she has filed this petition unnecessarily seeking transfer of the case.

5. On a bare reading of the reasons stated in the affidavit, it is seen that the petitioner has made vague allegations for seeking transfer in this case. Hence, the Transfer



Civil Miscellaneous Petition is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-II)

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/True Copy/

Sub Assistant Registrar

To

The Sub Judge,
Muthukulathur.

+1cc to Mr.S.Karthik, Advocate Sr.No.59584

+1cc to Mr.J.Senthil Kumariah, Advocate Sr.No.59931

AKV

VB/RSK/SAR4/14/05/2018/2P/4C

TR CMP (MD) No.107 of 2018

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