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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.11.2019

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Tr.C.M.P. (MD)No.26 of 2019
and
C.M.P(MD) No.647 of 2019

R.Kalaiselvi ... Petitioner

Vs.

P.Muniyasamy ... Respondent

PRAYER:- Petition filed under Section 24 of Civil Procedure Code, to withdraw the petition in H.M.O.P.No.16 of 2018 on the file of the Sub Court, Tirupur and transfer the same to the Sub Court at Dindigul.

For Petitioner : No appearance

For Respondent : No appearance

ORDER

In the above petition, notice was ordered to the respondent returnable by 20.02.2019, vide order, dated 31.01.2019. The said notice was not taken by 20.02.2019. Thereafter, by order, dated 20.02.2019 fresh notice was ordered and the petitioner was also permitted to take private notice. Thereafter, the matter was directed to be listed on 06.03.2019. After which, the matter came up only on 15.10.2019. On that date, there was no representation on the side of the petitioner and therefore, the matter was directed to be listed under the caption for dismissal on 01.11.2019. On 01.11.2019, this Court has passed the following order:-

> *"The learned counsel for the petitioner is directed to take fresh notice to the respondent to the correct address as well as the learned counsel appearing for the respondent before the Sub Court, Tirupur in H.M.O.P.No.16 of 2018 returnable by 25.11.2019.*
>
> *Registry is directed to remove the caption "for dismissal"*

2.Today, when the matter is called, there is no representation on the side of the petitioner. It is seen that up-to-date no steps whatsoever has been taken by the petitioner to serve notice to the respondent.

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3.Considering the fact that no steps were taken to serve notice to the respondent, this Transfer Civil Miscellaneous Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Writs)

// True Copy //

Sub Assistant Registrar(CS)

To

The Subordinate Judge, Tirupur.

Tr.C.M.P. (MD)No.26 of 2019
and
C.M.P(MD) No.647 of 2019
25.11.2019

JMN(16.12.2019) 2P : 2C

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