



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2021

CORAM :

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TR.CMP (MD) .No.288 of 2020

and

CMP (MD) .No.6380 of 2020

R.G. Amutha

.. Petitioner /Respondent

Vs

Vimalan

... Respondent/ Petitioner

Prayer: Transfer CMP filed under Section 24 CPC to transfer the case in HMOP.No.198 of 2015 from Sub Court, Uthamapalayam, Theni District to any other Court having competent jurisdiction to try the same in Sathyamangalam, Erode District.

For petitioner : Mr. R. Anand
For respondent : Mr. D. Malaichamy

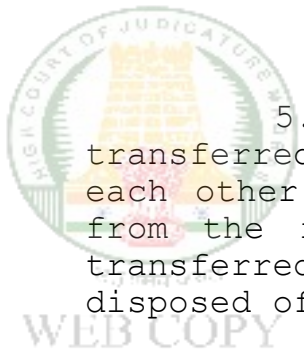
ORDER

The petitioner / wife, seeks transfer of HMOP.No.198 of 2015 pending on the file of the Sub Court, Uthamapalayam, Theni District to Sub Court, Sathyamangalam. The transfer is sought for only on the ground of convenience and the petitioner, wife is a resident of Mysore.

2. A perusal of the proceeding would show that the parties have been fighting right from the year 2012.

3. I am constrained to observe that even the Judicial Officers are harassed by the parties in view of the strained relationship between them. Any order passed is taken as amiss and complaints have been lodged with the Principal District Judge, Theni seeking transfer of proceedings from one Court to another Court.

4. The husband has taken objection to the wife filing an affidavit seeking to set aside the ex parte order made in the original petition on the ground that she was not in the country on the date when the affidavit is said to be sworn to by her and sought to prosecute the husband. It is also seen that both the husband and wife are making allegations against the judicial officers at the drop of a hat. The earlier Transfer petition filed by the wife was dismissed by this Court for non prosecution. Of Course, dismissal of the transfer petition for non prosecution may not be a bar that the conduct of the parties in the case on hand leaves no room for doubt that the parties will continue to fight and treat the Judicial officers with cruelty.



5. In view of the above I find that the proceedings can be transferred to a neutral venue and to avoid the parties meeting each other regularly. Hence, HMOP.No.198 of 2015 is withdrawn from the file of Sub Court, Uthamapalayam, Theni District and transferred to the file of Sub Court, Usilampatti to be heard and disposed of in accordance with law.

6. With the above observation, the Transfer CMP is disposed of. Sub Court, Uthamapalayam, Theni District is directed to transmit the papers to the Sub Court, Usilampatti, forthwith. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

trp

To

1. The Sub Judge, Usilampatti.
2. The Sub Judge, Uthamapalayam,
Theni District.

+1 CC to Mr.D.MALAICHAMY, Advocate (SR-9179[F] dated 05/03/2021)

TR.CMP(MD).No.288 of 2020 and
CMP(MD).No.6380 of 2020
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