



Tr.C.M.P(MD)No.40 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.03.2023**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Tr.C.M.P(MD)No.40 of 2023

and

C.M.P(MD)No.871 of 2023

M.Megala

... Petitioner/ Respondent

Vs.

P.Gopi

... Respondent/ Petitioner

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw and transfer H.M.O.P.No. 82 of 2022 on the file of the Principal Subordinate Court, Tenkasi to be tried along with H.M.O.P.No.247 of 2022 on the file of the Principal Subordinate Court, Thirumangalam, Madurai.

For Petitioner : Mr.G.Sakthi Rao

For Respondent : Mr.V.Kishorekumar

ORDER

The present transfer civil miscellaneous petition has been filed by the wife seeking to transfer H.M.O.P.No.82 of 2022 filed by the husband pending before the Principal Subordinate Court, Tenkasi, to be transferred to the Principal Subordinate Court, Thirumangalam, Madurai.



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2. According to the learned counsel appearing for the petitioner/wife, the petitioner is a permanent resident of Kallikudi Village near Thirumangalam, along with her parents and she finds it difficult to travel to Thenkasi for every hearing. He further points out that the wife had filed H.M.O.P.No.247 of 2022 before the Principal Subordinate Court, Thirumangalam and the same is pending.

3. Considering the aforesaid facts, H.M.O.P.No.82 of 2022 pending on the file of the Principal Subordinate Court, Thenkasi, is hereby withdrawn and the same is transferred to the file of the Principal Subordinate Court, Thirumangalam, to be tried along with H.M.O.P.No. 247 of 2022. The learned Principal Subordinate Judge, Thirumangalam, is directed not to insist upon the personal appearance of the respondent/husband, unless it is compulsorily required.

4. With the above observation, the Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

01.03.2023

NCC : Yes / No
Index : Yes / No
Rmk



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To

1. The Principal Subordinate Judge, Thenkasi.
2. The Principal Subordinate Judge, Thirumangalam.



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R.VIJAYAKUMAR ,J.

Rmk

Order made in
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