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Tr.C.M.P.(MD)No.49 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.04.2023

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

Tr.C.M.P.(MD)No.49 of 2023

and

C.M.P.(MD)No.1121 of 2023

M.Rajamano

.. Petitioner

Versus

M.Rajasekar

.. Respondent

Prayer :- Petition filed under Section 24(1) of C.P.C., to withdraw the case in H.M.O.P.No.140 of 2022, pending on the file of the Sub Court, Virudhunagar and transfer the same to the file of the Family Court, Madurai.

For Petitioner : Mr.G.Rajan

For Respondent : No Appearance

ORDER

This Transfer Civil Miscellaneous Petition is filed to withdraw the case in H.M.O.P.No.140 of 2022, pending on the file of the Sub Court, Virudhunagar and transfer the same to the file of the Family Court, Madurai.

2.Today, when the matter is taken up for hearing, there is no representation on behalf of the respondent, despite service of notice on him and his name is also printed in the cause list.



3.In Paragraph 7 of the affidavit filed in support of the Transfer Civil

Miscellaneous Petition, the petitioner has stated as follows:-

"7.I respectfully submit that now I am living with my parents without any reliable source of income but only under the shelter of my parents. I further submit that in these situation it is very difficult to me, to travel nearly about 150 kilometers to and fro, Madurai to Virudhunagar, for the hearings, whereas I am jobless and also I am under the shelters of my parents who are all already suffering much due to my hopeless life."

4.In Paragraph No.8, the petitioner has also expressed her insecurity and apprehension on the account of the threat by the family members of the respondent.

5.Being satisfied with the reasons given, this Court is inclined to allow this Transfer Civil Miscellaneous Petition. Accordingly, there shall be a direction for transfer of H.M.O.P.No.140 of 2022, pending on the file of the Sub Court, Virudhunagar, to the file of the Family Court, Madurai. The learned Judge, Family Court, Madurai, shall endeavour to dispose of H.M.O.P.No.140 of 2022, on it being re-numbered, as expeditiously as possible, preferably, within a period of 12 months from the date of receipt of a copy of this order.

6.This Transfer Civil Miscellaneous Petition stands allowed with the above direction. No costs. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
smn2

20.04.2023



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To

- 1.The Sub Judge,
Virudhunagar.
- 2.The Judge,
Family Court,
Madurai.



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C.SARAVANAN, J.

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Order made in
Tr.C.M.P.(MD)No.49 of 2023

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