



TR CMP (MD) No. 63 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

TR.C.M.P.(MD)No.63 of 2022

and

C.M.P.(MD)No.1291 of 2022

S.Lohitha

... Petitioner / Respondent

-Vs-

N.SakthiBalaji

... Respondent / Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the case in H.M.O.P.No.1128 of 2021 pending on the file of the Family Court, Madurai and transfer the same to the Family Court, Coimbatore.

For Petitioner : Dr.S.Karpaga Saravana Priya

For Respondent : Mr.C.M.Arumugam

ORDER

This Transfer Civil Miscellaneous Petition is filed to withdraw the case in H.M.O.P.No.1128 of 2021 pending on the file of the Family Court, Madurai and transfer the same to the Family Court, Coimbatore.



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2.The learned counsel appearing for the respondent has opposed the prayer sought for herein. He has submitted that there is a life threat to the respondent. Hence, the case may be transferred to any other Court other than Coimbatore, where the petitioner is residing.

3.The learned counsel appearing for the petitioner submitted that there are other proceedings, which are already pending before the Family Court, Coimbatore and the petitioner is aged about 25 years and taking care of her infant.

4.Considering the submissions made on either side, this Court is inclined to transfer H.M.O.P.No.1128 of 2021 pending on the file of the Family Court, Madurai to the Family Court, Coimbatore. The Family Court, Madurai is directed to transmit the papers to the file of the Family Court, Coimbatore forthwith for being disposed of the other proceedings. The Family Court, Coimbatore is directed to dispose H.M.O.P.No.1128 of 2021 on merits and in accordance with law as expeditiously as possible. If there is any life threat faced



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by the respondent, it is open to him to approach the police concerned in Coimbatore for protection while appearing in Coimbatore.

5.In fine, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

24.03.2023

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

MYR

To:

- 1.The Family Court, Madurai.
- 2.The Family Court, Coimbatore.



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C.SARAVANAN, J.

MYR

Order made in
TR.C.M.P.(MD) No.63 of 2022
and
C.M.P.(MD)No.1291 of 2022

Dated:

24.03.2023