



TR.C.M.P.(MD) No.85 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2023

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THE HONOURABLE **MR.JUSTICE C.SARAVANAN**

TR.C.M.P.(MD) No.85 of 2023

and

C.M.P.(MD) No.2017 of 2023

M.Nivetha

... Petitioner

Vs.

R.A.Pradeep Venkatesh

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, 1908, to withdraw the case in H.M.O.P.No.106 of 2022 on the file of the Sub Court, Paramathy, Namakkal District and transfer the same to the Sub Court, Kulithalai, Karur District.

For Petitioner : No appearance

For Respondent : No appearance

ORDER

There is no representation on behalf of the petitioner. Despite notice being served on the respondent and the name being printed in the cause list, there is also no representation on behalf of the respondent.



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2. This Transfer Civil Miscellaneous Petition has been filed to transfer H.M.O.P.No.106 of 2022 from the Sub Court, Paramathy, Namakkal District to the Sub Court, Kulithalai, Karur District.

3. In the affidavit filed in support of the present Transfer Civil Miscellaneous Petition, the petitioner has stated as follows:-

8. I humbly submit that I am house wife and I have no income and unable to maintain myself and the respondent has neglected me to maintain and in the said circumstances, I was constraint to file a maintenance petition U/S 12 Cr.P.C before the learned Magistrate Court No.II, Kulithalai, Karur District vide M.C.No.2/2023 against the respondent.

9. I humbly submit that my father is an agricultural labour. He is unable to accompany with me to travel to Paramathy, Vellor to attend the case filed by the respondent which is far off place for up and down it was 170 kms. The respondent is to attend my maintenance case at Kulithalai and in the said circumstances, the divorce case filed by the respondent may be transferred to Kulithalai. With such transfer, there will be no harm to the respondent. Whereas if it is not transferred I am being a woman and now leading my life without support of my poor parents will be put into irreparable loss and hardships.



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4. Being satisfied with the above reasons, this Court is inclined to allow this Transfer Civil Miscellaneous Petition. Therefore, H.M.O.P.No. 106 of 2022 is directed to be transferred from the Sub Court, Paramathy, Namakkal District to the Sub Court, Kulithalai, Karur District.

5. This Transfer Civil Miscellaneous Petition is accordingly allowed. No cost. Consequently, connected Miscellaneous Petition is closed.

19.06.2023

NCC : Yes / No
Internet: Yes/No
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To

- 1.The Sub Court, Paramathy, Namakkal District.
- 2.The Sub Court, Kulithalai, Karur District.



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