



TR CMP(MD). No.146 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Tuesday, the Seventeenth day of December Two Thousand and Twenty Four

PRESENT

THE HONOURABLE MR. JUSTICE K.MURALI SHANKAR

TR CMP(MD). No.146 of 2023

Dhanalakshmi ... Petitioner / Respondent/Wife
Vs

P. Periasamy ... Respondent / Petitioner/ Husband

Prayer :- Transfer Civil Miscellaneous Petition filed under Section 24 r/w section 151 of Civil Procedure Code praying this Court to withdraw the petition in HMOP.No. 51 of 2022 on the file of the Sub Court, Sangagiri, Salem District and transfer the same to the Sub Court, Pudukottai.

ORDER:- This Transfer Civil Miscellaneous Petition coming on for hearing on this day and upon perusing the petition and the affidavit filed in support thereof and upon reading earlier orders dates 07.06.2023, 26.06.2024, 23.10.2024, 25.11.2024, 02.12.2024 and 12.12.2024 and the requisition letter submitted by the Principal Subordinate Judge, Pudukottai, vide in letters D.No.1132/2024, dated 23.09.2024, and D.No.1494/2024, dated 16.12.2024 alongwith B-Diary Extract, this Court made the following order:

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" In pursuance of the directions of this Court, the learned Principal Subordinate Judge, Pudukkottai has submitted "B" diary. It is evident from the records that this Court in Tr.C.M.P.(MD)No.146 of 2023 passed an order dated 07.06.2023 transferring the petition in H.M.O,P.No.51 of 2022, from the file of the Subordinate Court, Sangagiri, Salem District to the file of the Subordinate Court, Pudukkottai and to try along with H.M.O.P.No.113 of 2022 pending on the file of the Subordinate Court, Pudukkottai and further directed the Subordinate Judge, Pudukkottai to dispose of both the H.M.O.Ps as expeditiously as possible, preferably within a period of 9 months from the date of receipt of a copy of that order. It is further evident from the records that the learned Principal Subordinate Judge submitted a requisition dated 29.04.2024 seeking extension of time and this Court vide order dated 26.06.2024 has granted extension till 30.09.2024. Subsequently, the learned Principal Subordinate Judge, Pudukkottai has again submitted a requisition dated 23.09.2024 seeking further extension of time and at that juncture, this Court has directed the Registry to get the diary extract.

2. It's evident from the "B" diary extract that despite the Court's orders on 07.06.2023 to dispose of the case within 9 months (later extended to 30.09.2024), there's been no progress in the HMOPs after over a year. This Court is perplexed by the Subordinate Judge's inaction and the unjustified adjournments. As a last chance,



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the Principal Subordinate Judge, Pudukkottai, is directed to complete the trial in both HMOPs within two months and submit a compliance report immediately.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/01/2025

Sub Assistant Registrar
(CS- I, II, III, IV)

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To

The Principal Subordinate Judge,
Pudukottai.

Copy to:

1. The Subordinate Judge,
Sangagiri, Salem District.
2. The Section Officer,
V R Section,
Madurai Bench of Madras High Court, Madurai.

ORDER DATED : 17/12/2024

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Extension of Time

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Giving direction and etc.
as stated within.

ES(06/01/2025) 3P / 5C

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17.07.2023

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