



Tr.C.M.P.(MD)No.163 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.04.2023

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CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

Tr.C.M.P.(MD)No.163 of 2023

and

C.M.P.(MD)No.3627 of 2023

Vijisri

.. Petitioner

Versus

Dinesh Kumar

.. Respondent

Prayer :- Petition filed under Section 24 read with Section 151 of C.P.C., to withdraw the case in H.M.O.P.No.979 of 2022, pending on the file of the Family Court, Theni and transfer the same to the file of the Sub Court, Ambasamuthiram, Tirunelveli District.

For Petitioner : Mr.S.Sabastian

For Respondent : No Appearance

ORDER

This Transfer Civil Miscellaneous Petition is filed to withdraw the case in H.M.O.P.No.979 of 2022, pending on the file of the Family Court, Theni and transfer the same to the file of the Sub Court, Ambasamuthiram, Tirunelveli District.

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.

<https://www.mhc.tn.gov.in/judis>



3. In Paragraph 4 of the affidavit filed in support of the Transfer Civil

Miscellaneous Petition, the petitioner has stated as follows:-

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"4. My children are studying school at Ambasamuthiram. My parents are age old persons. So, I am the only person to taking care of my children. And 10 years before, my gall bladder was removed. So, I cannot eat hard food and oil foods in outdoor. I can eat only smoother foods like curd, butter milk, fruits etc. In these circumstances it is very difficult for me to travel nearly 250 KM from Ambasamuthiram to Theni. Neither there is anyone to accompany me nor support me financially."

4. 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.979 of 2022, pending on the file of the Family Court, Theni, to the file of the Sub Court, Ambasamuthiram, Tirunelveli District. The learned Sub Judge, Ambasamuthiram, Tirunelveli District, shall endeavour to dispose of H.M.O.P.No.979 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.

5. 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 Judge,
Family Court,
Theni.

2.The Sub Judge,
Ambasamuthriam,
Tirunelveli District.



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C.SARAVANAN, J.

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Order made in
Tr.C.M.P.(MD)No.163 of 2023

20.04.2023