



Tr.C.M.P(MD)No.235 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.06.2023**

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

Tr.C.M.P(MD)No.235 of 2023

and

C.M.P(MD)No.5195 of 2023

S.Priya

...Petitioner/Petitioner

Vs.

M.Velumani

...Respondent/Respondent

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, to withdraw the case in H.M.O.P.No.107 of 2022 pending on the file of the learned Subordinate Judge, Vedasanthur, Dindigul District and transfer the same to the Family Court, Namakal or any other competent Court in Namakal within the time stipulated by this Court.

For Petitioner : Mr.A.Mohamed Riyaz

For Respondent : Mr.N.Marimuthu



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ORDER

The present Transfer Civil Miscellaneous Petition has been filed to transfer H.M.O.P.No.107 of 2022 pending on the file of the learned Subordinate Judge, Vedasanthur, Dindigul District and transfer the same to the Family Court, Namakal on the ground that the petitioner is residing in Namakkal.

2. It appears that the respondent has filed H.M.O.P.No.48 of 2022 before the sub court, Vedasanthur for restitution of conjugal rights under Section 9 of the Hindu Marriage Act, 1955, which came to be allowed *ex parte* on 26.09.2022.

3. The petitioner appears to have filed H.M.O.P.No.107 of 2022 for dissolving the marriage solemnised between the petitioner and the respondent. The petitioner is claiming her origin from Namakkal District as the child is left under the care of the petitioner's parents in Namakkal. The facts on record also indicate that the petitioner is a police constable with the reserved police and is currently stationed in Thiruvallur.



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4. There is no case made out for transferring the case from the file of the learned Subordinate Judge, Vedasanthur, Dindigul District to the file of the Family Court, Namakal. Therefore, the present Transfer Civil Miscellaneous Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

12.06.2023

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

1. The learned Subordinate Judge,
Vedasanthur,
Dindigul District.
2. The Family Court,
Namakal
3. The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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C.SARAVANAN ,J.

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