



TR.C.M.P.(MD) No.252 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.06.2023

CORAM

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

TR.C.M.P.(MD) No.252 of 2023

and

C.M.P.(MD) No.5668 of 2023

Subha Gnanaraj

... Petitioner

Vs.

D.Vijaiy

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, 1908, to pass an order withdrawing the case filed by the respondent against the petitioner in H.M.O.P.No.339 of 2022 pending on the file of the Subordinate Court, Tambaram, Chennai and transferring the same to the file of the Family Court, Tiruchirapalli.

For Petitioner : Mr.S.T.Gopinath

For Respondent : No appearance

ORDER

This Transfer Civil Miscellaneous Petition has been filed to transfer H.M.O.P.No.339 of 2022 from the Subordinate Court, Tambaram, Chennai to the Family Court, Tiruchirapalli.



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2. Despite the notice on the respondent through Court and privately being served and the name of the respondent being printed in the cause list, there is no representation on behalf of the respondent.

3. In the affidavit filed in support of this Transfer Civil Miscellaneous Petition, the petitioner has expressed her difficulties and apprehension that she is aged about 32 years and depends on her parents. It is submitted that the distance between the Tiruchirapalli and Tambaram, Chennai is approximately 350 kms and that she has no other supporters in Tambaram, Chennai.

4. In view of the above, I am inclined to allow this Transfer Civil Miscellaneous Petition filed by the petitioner. Therefore, H.M.O.P.No. 339 of 2022 filed by the respondent against the petitioner before the Subordinate Court, Tambaram, Chennai shall be transferred to the Family Court, Tiruchirapalli.

5. Considering the fact that the respondent is a resident in Tambaram, Chennai, the respondent shall appear through the counsel and



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the physical appearance of the respondent shall stand dispensed with for further hearing. The respondent shall appear before the Court as and when the Court requires the physical appearance of the respondent.

6. Accordingly, this Transfer Civil Miscellaneous Petition stands allowed. No cost. Consequently, connected Miscellaneous Petition is closed.

09.06.2023

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

1.The Subordinate Court,
Thambaram, Chennai.

2.The Family Court, Tiruchirapalli.



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C.SARAVANAN, J.

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