



Tr.C.M.P(MD)No.338 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.03.2023**

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

Tr.C.M.P(MD)No.338 of 2022
and
C.M.P(MD)No.5672 of 2022

R.Preethi

... Petitioner/
Respondent

Vs.

N. Suryaprakash

... Respondent/
Petitioner

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, to withdraw and transfer the above petition in H.M.O.P.No.25 of 2022 on the file of the Subordinate Judge Ramanathapuram, and transfer the same to the Family Court, Theni.

For Petitioner : Mr.V.N.Arjun
For Mr.N.Vallinayagam

For Respondent : No Appearance

ORDER

The notice taken on the respondent has been returned with an endorsement "Door Locked". The private notice has been served on the respondent.



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2. The learned counsel for the petitioner has also voluntarily sent notice to the counsel, who represent the interest of the respondent before the lower Court. The same has also been served.

4. Despite the respondent has been served, there is no appearance either in person or through counsel.

5. The Court record also indicates that the petitioner has herself filed H.M.O.P.No.443 of 2022 to dissolve the marriage with the respondent before the Family Court, Theni. The respondent thereafter proceeded to file H.M.O.P.No.25 of 2022 before the Sub Court, Ramanathapuram. The petitioner has stated that she is taking care of a minor child, who is aged about 2 years and the petitioner is unable to travel as the child falls sick allergic to bus travel.

5. Considering the above, this Court is inclined to transfer H.M.O.P.No.25 of 2022 from the file of the Subordinate Judge, Ramanathapuram, to the file of the Family Court, Theni. The Family Court, Theni shall endeavour to bring closure between the parties as



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expeditiously as possible preferably within a period of 12 months from the date of receipt of copy of this order.

6. The present Transfer Civil Miscellaneous Petition stands allowed with the above observations. No costs. Consequently, connected miscellaneous petition is closed.

27.03.2023

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

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To

- 1.The Subordinate Judge,
Ramanathapuram.
- 2.The Family Court, Theni.
- 3.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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C.SARAVANAN ,J.

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