



Tr.C.M.P(MD)No.315 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **20.06.2023**

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

Tr.C.M.P(MD)No.315 of 2023

and

C.M.P(MD)No.6972 of 2023

Saravanan

...Petitioner/Petitioner

Vs.

Priya

...Respondent/Respondent

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, to withdraw the case on the file of the Sub Court, Keeranur in H.M.O.P.No.10105 of 2021 and transfer the same to the Family Court, Trichy.

For Petitioner : Mr.T.J.Ebenezer Charles

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to transfer H.M.O.P.No.10105 of 2021 on the file of the Sub Court, Keeranur to the Family Court, Trichy.



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2. It is the case of the petitioner that the respondent's brother is a practising Advocate in Sub Court, Keeranur and therefore, whenever, the petitioner visits the Court premises in connection with H.M.O.P.No.10105 of 2021, she receives threat and feels intimidated. Therefore, the petitioner is forced to appear before the Court along with a friend. It is the further case of the petitioner that all attempts to live with the respondent and child had turned futile. Hence, the petitioner prays for allowing the present transfer civil miscellaneous petition.

3. The reasons given by the petitioner in the affidavit cannot be countenanced as admittedly, the petitioner has filed a case by himself and now asking for transferring the case to Family Court, Trichy. The respondent appears to be only 27 years old and perhaps not employed as they have also a minor child, who is aged about 6 years.

4. To expect the respondent to travel from Kulaththur, Pudukkottai District to Trichy, is put the respondent to inconvenience. Therefore, I am not inclined to entertain this petition. At the same time, at the request of the learned counsel for the petitioner is recorded. I direct the Sub Court, Keeranur to refer the parties to mediation so that the parties can resolve the dispute



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amicable before proceeding further. It is made clear that if the petitioner has received any threat, it is always open for the petitioner to seek for police protection.

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

20.06.2023

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

- 1.The learned Sub Judge,
Keeranur.
- 2.The Family Court,
Trichy.
- 3.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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C.SARAVANAN,J.

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