

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

Tr.C.M.P.(MD) No.403 of 2022

and

CMP(MD)No.6621 of 2022

Kowsalya Devi

... Petitioner/Respondent

-vs-

R.Arun Ramnath

... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the case H.M.O.P.No.190 of 2021 on the file of Sub Court, Virudhunagar to transfer the same to on the file of Sub Court, Thirumangalam, Madurai District, for adjudication.

For Petitioner : Mr.D.Balamurugapandi

ORDER

The present Transfer Civil Miscellaneous Petition is filed to withdraw the case in H.M.O.P.No.190 of 2021 on the file of the Sub Court, Virudhunagar, and transfer the same to the Sub Court, Thirumangalam, Madurai District.

2.Despite of notice served on the respondent, there is no representation on behalf of the respondent.

3.The petitioner is the respondent in HMOP.No.190 of 2021 filed by the respondent. The petitioner has filed HMOP.No.179 of 2022 before the Sub Court, Tirumangalam for restitution on conjugal right. The petitioner is the residence of Madurai and working in Office and hence, prayed for transfer of HMOP.No.190 of 2021 pending on the file of the Sub Court, Virudhunagar to Sub Court, Tirumangalam, Madurai District.

4.Considering the fact that the distance between Madurai and Virudhunagar is 140 km, the petitioner is working in Madurai, and she has also filed HMOP.No.179 of 2022 before the Sub Court, Tirumangalam for restitution on conjugal right, this Court is inclined to transfer H.M.O.P.No.190 of 2021 from Sub Court, Virudhunagar, to Sub Court, Tirumangalam, Madurai District. The Sub Court, Tirumangalam, Madurai District, shall endeavour to bring closure to the dispute between the parties within a period of 12 months from the date of receipt of a copy of this order.

5. With the above observation, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

17.03.2023

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

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To:

1. The Sub Court,
Virudhunagar District.
2. The Sub Court, Tirumangalam,
Madurai District.

Tr CMP (MD) No.403 of 2022

C.SARAVANAN, J.

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Order made in
Tr.C.M.P.(MD) No.403 of 2022
and
CMP(MD)No.6621 of 2022

Dated:

17.03.2023