



Tr.C.M.P(MD)No.426 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.02.2023**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Tr.C.M.P(MD)No.426 of 2022

and

C.M.P(MD)No.6965 of 2022

Surya ... Petitioner/Respondent

Vs.

1.Suresh ...Respondent/Petitioner

2.A.Sivaraj ... 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.157 of 2022 on the file of the learned Sub Court, Kancheepuram and transfer the same to the learned Family Court, Theni.

For Petitioner : Mr.S.Vikram

For Respondent : No Appearance



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ORDER

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The present transfer civil miscellaneous petition has been filed by the wife seeking to transfer H.M.O.P.No.157 of 2022 on the file of the Sub Court, Kancheepuram to Family Court, Theni.

2. According to the learned counsel for the petitioner/wife, she is permanently residing at Theni and she is having custody of a minor child. She finds it difficult to travel on every occasion to attend hearings in Sub Court, Kancheepuram. The learned counsel appearing for the petitioner further submits that the wife has filed H.M.O.P.No.784 of 2022 for restitution of conjugal rights and the same is pending before the Family Court, Theni.

3. Though the respondents have been served, there is no appearance either in person or through counsel.

4. Considering the above said facts, H.M.O.P.No.157 of 2022 on the file of the Sub Court, Kancheepuram is hereby withdrawn and transferred to Family Court, Theni to be tried along with H.M.O.P.No. 784 of 2022.



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5. With the above said direction, this Transfer Civil Miscellaneous Petition stands allowed. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

22.02.2023

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

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To

- 1.The Sub Court,
Kancheepuram.
- 2.The Family Court,
Theni.
- 3.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR ,J.

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Order made in
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