



Tr.C.M.P(MD)No.459 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **10.03.2023**

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

Tr.C.M.P(MD)No.459 of 2021
and
C.M.P(MD)Nos.8822 and 9448 of 2021

1.Raja Sherin

2.Elias

3.Baby Saroja

4.Nirmal Subi

5.Stalin Prabhu

... Petitioners/
Respondents

Vs.

M.D.M.Sheela Priyadharshini

... Respondent/
Petitioner

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, to pass an order to withdraw the case in D.V.C.No.28 of 2021 on the file of the learned Judicial Magistrate No.1, Kuzhithurai, Kanyakumari District and transfer the same to the file of the learned Judicial Magistrate Court, Vallioor, Tirunelveli District or any other competent Court at Tirunelveli.



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For Petitioners : Mr.G.Anto Prince

For Respondent : Party in Person

ORDER

The present transfer civil miscellaneous petition has been filed to transfer D.V.C.No.28 of 2021 on the file of the learned Judicial Magistrate No.1, Kuzhithurai, Kanyakumari District to the file of the learned Judicial Magistrate Court, Vallioor, Tirunelveli District.

2.The case was heard on the previous occasion and on 01.03.2023, this Court had passed an interim order and called for the report from Judicial Magistrate No.1, Kuzhithurai. The learned Judicial Magistrate No.1, Kuzhithurai has addressed a communication, dated 09.03.2023 bearing reference D.No.1204/2023 wherein, it has been clarified that that the respondent was a practising advocate of Kuzhithurai Bar Association and the case is pending for 1 ½ years and till date, no instance of any violence has taken place against the petitioner herein by the respondent or by the members of the Kuzhithurai Bar Association or by any mob of advocates. The petitioner perhaps apprehends that the respondent being an advocate may influence the members of the bar against the petitioner.

It appears that the petitioner has also filed



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- 1.The Judicial Magistrate No.1,
Kuzhithurai, Kanyakumari District.
- 2.The Judicial Magistrate Court,
Vallioor, Tirunelveli District.
- 3.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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C.SARAVANAN ,J.

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