



Tr.C.M.P(MD)No.525 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.04.2023**

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

Tr.C.M.P(MD)No.525 of 2021

and

C.M.P(MD)No.9641 of 2021

R.Jeyanthi

...Petitioner/
Respondent

Vs.

M.Nallasiva

...Respondent/
Petitioner

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, to withdraw and transfer the case in H.M.O.P.No.40 of 2021 pending on the file of the Family Court, Dindigul to Principal Sub Court, Pudukkottai or any other competent Court as this Court may deem fit.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondent : No Appearance



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ORDER

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The present transfer civil miscellaneous petition has been filed to transfer H.M.O.P.No.40 of 2021 pending on the file of the Family Court, Dindigul to the file of the Principal Sub Court, Pudukkottai.

2. The notice taken on the respondent through Court was returned with an endorsement "Out of Station". The notice taken on the respondent through privately was served on 28.12.2021. Despite the same, there is no representation on behalf of the respondent.

3. The petitioner in her affidavit filed in support of the petition stated as follows:

" 6. I further submit that it is very difficult for me travel to Dindigul for each and every hearing. There is nobody else to take care my child and age old parents in my absence. I am having very good chances of success in H.M.O.P.No.40 of 2021. If the case in H.M.O.P.No.40 of 2021 on the file of the learned Family Court Judge, Dindigul was not ordered to be transferred to the Hon'ble Principal Sub Court, Pudukkottai District, I will be put to irreparable loss and hardship."

4. Being satisfied with the reasons given in the affidavit filed in support of the petition, I am inclined to allow the present Transfer Civil



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Miscellaneous Petition. Thus, the present Transfer Civil Miscellaneous Petition stands allowed by transferring H.M.O.P.No.40 of 2021 pending on the file of the Family Court, Dindigul to the file of the Principal Sub Court, Pudukkottai. No costs. Consequently, connected miscellaneous petition is closed.

25.04.2023

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

- 1.The Family Court, Dindigul.
- 2.The Principal Sub Court,
Pudukkottai.
- 3.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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C.SARAVANAN ,J.

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