



Tr.C.M.P(MD)No.606 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.02.2023

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Tr.C.M.P(MD)No.606 of 2022

and

C.M.P(MD)No.9737 of 2022

Dhivya ... Petitioner/ Respondent
Vs.

Karthikeyan ... Respondent/ Petitioner

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw and transfer HMOP.NO. 14 of 2019 from the file of learned Subordinate Judge, Ambasamuthiram, Tirunelveli District to learned Family Court, Paramakudi, Ramanathapuram District.

For Petitioner : Mr.C.Jeganathan
For Respondent : Mr.I.Pinaygash

ORDER

The present transfer civil miscellaneous petitioner has been filed to transfer the H.M.O.P.No.14 of 2019 pending on the file of the Subordinate Court, Ambasamuthiram, Tirunelveli District, to be transferred to the Family Court, Paramakudi, Ramanathapuram District.



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2. It could be seen from the records that the H.M.O.P.No.14 of 2019 is in the argument stage. However, the learned counsel appearing for the petitioner/wife submits that she filed I.A.No.6 of 2022 for return of certain jewelry from the husband. After filing of the said application, there is a threat from the family of the husband in Ambasamuthiram and hence, she finds it difficult to go to Ambasamuthiram. Therefore, she seeks transfer of the petition to Paramakudi. However, there are no records to indicate that any complaint was made either to the Judicial Officer or to the concerned Police Station.

3. In the light of the aforesaid circumstances, the question of transferring the H.M.O.P.No.14 of 2019 at the stage of argument does not arise. In the interest of justice, this Court directs the learned Subordinate Judge, Ambasamuthiram, to dispose of I.A.No.6 of 2022 within a period of two weeks from the date of receipt of a copy of this order. Thereafter, the learned Subordinate Judge may proceed to decide the H.M.O.P.



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4. With the aforesaid observations, the Transfer Civil Miscellaneous Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

14.02.2023

NCC : Yes / No

Index : Yes / No

Rmk

To

- 1.The Subordinate Judge, Ambasamuthiram, Tirunelveli District.
- 2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR ,J.

Rmk

Order made in
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