



Tr.C.M.P.(MD)No.550 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.10.2023

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Tr.C.M.P.(MD)No.550 of 2023

and

C.M.P.(MD)No.12310 of 2023

V.Suganya

... Petitioner/
Petitioner

Vs.

M.Kannan

... Respondent/
Respondent

Prayer : This Transfer Civil Miscellaneous Petition filed under Section 151 C.P.C., to withdraw the H.M.O.P.No.193 of 2022 on the file of the learned Sub Court, Udumalaipettai and transfer the same to Sub Court, Madurai.

For Petitioner : Mr.M.Ramu

For Respondent : No appearance

ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw the case on the file of the Sub Court, Udumalaipettai, in H.M.O.P.No.193 of 2022 and transfer the same to the Sub Court, Madurai.



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2. Though notice was sent through the Court, the same was returned as 'unclaimed'.

3. The learned counsel appearing for the petitioner would submit that the respondent has not claimed the notice, despite service of intimation and he has not turned up.

4. The learned counsel appearing for the petitioner would submit that the respondent has filed the petition in H.M.O.P.No.193 of 2022 seeking divorce and the same is pending on the file of the Sub Court, Udumalaipettai, that the petitioner is now staying with her parents, who are now supporting her and she finds its difficult to travel almost 389 kms all the way from Chinnamangalagudi, Madurai to Udumalaipetti, and that since the revision petitioner is residing at Madurai, the above case has to be transferred from the file of the Sub Court, Udumalaipettai to the file of the Sub Court, Madurai.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned counsel appearing for the petitioner, H.M.O.P.No.193 of 2022 is ordered to be withdrawn from the



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file of the Sub Court, Udumalaipettai, and transferred to the file of the Principal Sub Court, Madurai, for disposal as per law. The Sub Court, Udumalaipetti, is directed to transmit the papers to the file of the Principal Sub Court, Madurai, forthwith. The Principal Sub Court, Madurai, is directed to take the case on file and dispose of the same on merits and in accordance with law.

6. In the result, the Transfer Civil Miscellaneous Petition is allowed. Consequently, connected Miscellaneous Petition is closed. No costs.

18.10.2023

NCC :yes/No
Index :yes/No
Internet:yes/No
csm

To

1. The Sub Court,
Udumalaipettai.
2. The Principal Sub Court,
Madurai.
3. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
Tr.C.M.P.(MD)No.550 of 2023
and
C.M.P.(MD)No.12310 of 2023

Dated : 18.10.2023