



Tr.C.M.P(MD)No.636 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.02.2023**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Tr.C.M.P(MD)No.636 of 2022

and

C.M.P(MD)No.10177 of 2022

M.Thulasi ... Petitioner/ Respondent-wife
Vs.

M.Kannan ... Respondent/ Petitioner-husband

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the case in H.M.O.P.No. 217 of 2022 on the file of the Subordinate Court, Kovilpatti and transfer the same to the Subordinate Court, Pattukottai.

For Petitioner : Mr.M.Viji
For Respondent : Mr.C.M.Arumugam

ORDER

The present transfer civil miscellaneous Petition has been filed by the wife seeking to transfer H.M.O.P.No.217 of 2022 pending on the file of the Subordinate Court, Kovilpatti.

2. According to the learned counsel appearing for the petitioner/wife, due to matrimonial dispute, the petitioner/wife is residing



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with her parents along with her minor child aged about 9 years at Pattukottai. Hence, she finds it difficult to travel to Kovilpatti for every hearing. Therefore, she seeks to transfer the same to Subordinate Court, Pattukottai.

3. The learned counsel appearing for the respondent/husband submitted that his mother is a cancer survivor and his father is also patient, that apart, he is a Government School Teacher in a remote village at Jakkammalpuram Village, Vilathikulam Taluk, Tuticorin District. Hence, he finds it difficult to reach Pattukottai. According to the learned counsel for the respondent, there were some attempts to manhandle him at Pattukottai. However, it is strongly objected to by the learned counsel for the petitioner/wife.

4. Considering the aforesaid facts, I find that in the interest of justice, this matter may be transferred from Kovilpatti to the place, which is nearer to Pattukottai. Both the counsels, on instructions, submit that the matter may be transferred to Subordinate Court, Pudukottai.

5. In view of the aforesaid facts, H.M.O.P.No.217 of 2022 pending on the file of the Subordinate Court, Kovilpatti, is hereby withdrawn and



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transferred to the Principal Subordinate Court, Pudukkottai and the learned Principal Subordinate Judge is at liberty either to try the case by himself or transfer the same to some other Subordinate Court in Pudukkottai.

6. With the above observation, the Transfer Civil Miscellaneous Petition is allowed to the extent as stated above. No costs. Consequently, connected Miscellaneous Petition is closed.

21.02.2023

NCC : Yes / No
Index : Yes / No
Rmk

To

- 1.The Subordinate Judge, Kovilpatti.
- 2.The Principal Subordinate Judge, Pudukkottai.



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R.VIJAYAKUMAR ,J.

Rmk

Order made in
Tr.C.M.P(MD)No.636 of 2022

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