



Tr CMP (MD) No. 631 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

Tr.C.M.P.(MD) No.631 of 2022

and

CMP(MD)No.10154 of 2022

Pooja @ Anu

... Petitioner/Respondent

-VS-

Vijayakumar

... Respondent/Petitioner

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.115 of 2022 on the file of the Sub Court, Virudhunagar and to transfer the same to the file of the Sub-Court, Sivagangai and for disposal of the same on merits and in accordance with law.

For Petitioner : Mr.B.Vinothkumar

For Respondent : Mr.J.Senthil Kumaraiah



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ORDER

The present Transfer Civil Miscellaneous Petition is filed to withdraw the case in H.M.O.P.No.115 of 2022 pending on the file of the Sub-Court, Virudhunagar and to transfer the same to the file of the Sub-Court, Sivagangai.

2.The parties have contracted their marriage only on 24.02.2022. The respondent has filed a petition in H.M.O.P.No.115 of 2022 before the Sub-Court, Virudhunagar, on 21.12.2022, within a period of four months from the date of marriage. This Court, on earlier occasion, directed the parties to explore the possibility for settling the dispute. However, in the Mediation Centre, both the parties failed to participate and therefore, failure report has been filed by the Mediation Centre.

3.The learned counsel appearing for the petitioner would submit that a criminal complaint has also been filed against the respondent by the Advocate, who appeared for the petitioner.



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4.Be that as it may, it is not conducive for the case is being proceeded in the Sub-Court, Virudhunagar, on account of FIR being filed against the respondent.

5.Considering the above, this Transfer Civil Miscellaneous Petition is allowed and the case in H.M.O.P.No.115 of 2022 pending on the file of the Sub-Court, Virudhunagar, is withdrawn and ordered to be transferred to the Sub-Court, Sivagangai. No costs. Consequently, connected miscellaneous petition is closed.

20.03.2023

NCC : Yes / No

Internet : Yes / No

Index : Yes / No

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To:

1.The Subordinate Judge,
Virudhunagar.

2. The Sub-Court,
Sivagangai.



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C.SARAVANAN, J.

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Order made in
Tr.C.M.P.(MD) No.631 of 2022
and
CMP(MD)No.10154 of 2022

Dated:

20.03.2023