



Tr.C.M.P(MD)No.649 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.649 of 2022

and

C.M.P(MD)No.10343 of 2022

S.Kiruthika

... Petitioner/Respondent

Vs.

Manimegalai @ Nagaveni
C.Vedhagiri (died)

... Respondent/ 1st Petitioner

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw G.W.O.P.No.80 of 2022 on the file of the learned Principal District Judge, Thiruvannamalai and transfer the same to the file of the learned Principal District Judge, Trichy.

For Petitioner : Mr.T.Lenin Kumar

For Respondent : Mr.P.Saravanakumar

ORDER

The present transfer civil miscellaneous Petition has been filed seeking to transfer G.W.O.P.No.80 of 2022 pending on the file of the learned Principal District Judge, Thiruvannamalai to be transferred to the learned Principal District Judge, Trichy.



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2. The said Guardian and Wards Original Petition has been filed by the mother-in-law of the petitioner. Even in the said petition, it has been mentioned that the minor children are residing with their mother at Trichy. In view of Section 9 of the Guardians and Wards Act, 1890, the Guardianship application could be filed only before the District Court having jurisdiction in the place where minor ordinarily resides. Therefore, the learned Principal District Judge, Thiruvannamalai, does not have any jurisdiction at all to entertain G.W.O.P.No.80 of 2022.

3. In view of the aforesaid facts, G.W.O.P.No.80 of 2022 pending on the file of the Principal District Court, Thiruvannamalai, is hereby withdrawn and transferred to the file of the Principal District Court, Trichy.

4. With the above observation, the Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

21.02.2023

NCC : Yes / No
Index : Yes / No
Rmk



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To

1. The Principal District Judge, Thiruvannamalai.
2. The Principal District Judge, Trichy.

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R.VIJAYAKUMAR ,J.

Rmk

Order made in
Tr.C.M.P(MD)No.649 of 2022

21.02.2023