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Tr.C.M.P(MD)No.734 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.734 of 2022

and

C.M.P(MD)No.11676 of 2022

K.Mariyammal @ Anusiya

... Petitioner/ Respondent

Vs.

R.Muthuvijayakumar

... 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. 18 of 2022 on the file of the Principal Sub Court, Dindigul and transfer the same to the file of the Sub Court, Udumalpet for disposal of the same on merits in accordance with law.

For Petitioner : Mr.P.Manikandan

For Respondent : Mr.V.Karuna

ORDER

The present transfer civil miscellaneous Petition has been filed by the wife seeking to transfer of H.M.O.P.No.18 of 2022 pending on the file of the Principal Subordinate Court, Dindigul to be transferred to Subordinate Court, Udumalpet.



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2. According to the learned counsel appearing for the petitioner/wife, she is residing with her parents at Udumalpet along with her two years old boy and hence, she finds it difficult to attend every hearing at Principal Subordinate Court, Dindigul. Therefore, she seeks to transfer the same to the Subordinate Court, Udumalpet.

3. The learned counsel appearing for the respondent/husband submits that the respondent / husband was attacked by the family members of the wife at Nilakottai and hence, he apprehends to attend Court hearing at Udumalpet, as he is likely to be attacked by them. However, the petitioner / wife strongly disputes the said allegation.

4. Considering the aforesaid facts, H.M.O.P.No.18 of 2022 pending on the file of the Principal Subordinate Court, Dindigul is hereby transferred to Subordinate Court, Palani.

5. Accordingly, 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



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To

1.The Principal Subordinate Judge, Dindigul.

2.The Subordinate Court, Palani.



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R.VIJAYAKUMAR ,J.

Rmk

Order made in
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