



Tr.C.M.P(MD)No.778 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.01.2023

CORAM

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Tr.C.M.P(MD)No.778 of 2022

and

C.M.P(MD) No.12505 of 2022

M.M.Dhara Devi

... Petitioner

-Vs-

K.S.Balakannan

... Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw the case in H.M.O.P.No.163 of 2021 on the file of the learned Family Court, Tirunelveli and transfer the same to the learned Family Court, Madurai.

For Petitioner : Mr.A.Rajaram

For Respondent : Mr.H.Arumugam

ORDER

This Transfer Civil Miscellaneous Petition has been filed seeking transfer of the proceedings in H.M.O.P.No.163 of 2021 from the file of



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the Family Court, Tirunelveli, to the Family Court, Madurai.

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2. The learned counsel for the petitioner submits that the petitioner is an unemployed person and she is depending upon her parents for her livelihood. It is difficult for her to travel from Madurai to Tirunelveli to attend the Court proceedings.

3. The learned counsel for the respondent submits that H.M.O.P. No.163 of 2021, which is sought to be transferred is not existence and that application was dismissed for default for non-payment of batta on 21.10.2021. However, he admits that he has filed an application in I.A.No.2 of 2022 for restoration of the same.

4.Considering the submission made on either side, I.A.No.2 of 2022 in H.M.O.P.No.163 of 2021 is transferred to the file of the Family Court, Madurai. The learned Judge, Family Court, Tirunelveli, is directed to transmit the entire case records to the Family Court, Madurai, forthwith and the learned Judge, Family Court, Madurai, who in turn shall dispose of the same as expeditiously as possible.



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5. Accordingly, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

27.01.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
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To

1. The Family Court, Tirunelveli.
2. The Family Court, Madurai.



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B.PUGALENDHI, J.

cp

Order made in
Tr.C.M.P(MD)No.778 of 2022
and
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27.01.2023