



Tr.CMP.No.919 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.CMP.No.919 of 2023

and

C.M.P.No.21921 of 2023

Suvitha

.. Petitioner

Vs.

1.Prakash

2.Rajeshwari Alias Jamuna

.. Respondents

Prayer : The Transfer Civil Miscellaneous Petition is filed under Section 24 of the Civil Procedure Code, to withdraw and transfer the proceedings in D.V.C.No.10 of 2022 on the file of the Judicial Magistrate, Gobichettipalayam to the file of the Judicial Magistrate, Mettupalayam.

For Petitioner : Mr.M.Nandhakumar
for M/s.Eswar, Kumar and Rao

For Respondents : M/s.P.Devi Sai Monica
for Mr.K.Chandru



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ORDER

The petitioner seeks for transfer of proceedings in D.V.C.No.10 of 2022 from the file of the Judicial Magistrate at Gobichettipalayam to the file of the Judicial Magistrate at Mettupalayam.

2. M/s.P.Devi Sai Monica appearing on behalf of the respondents brings to my notice that apart from the DVC proceedings, the wife had also initiated an application in H.M.O.P.No.51 of 2021 on the file of the Sub Court at Gobichettipalayam and prior to that, the husband had also filed an application for divorce in H.M.O.P.No.7 of 2021 on the file of the Sub Court at Gobichettipalayam.

3. The petitioner is a resident of Mettupalayam and the husband is a resident of Coimbatore. The distance is not so vast requiring interference under Section 24 of the Code of Civil Procedure.

4. As the husband and wife are already litigating the civil proceedings before the learned Subordinate Judge at Gobichettipalayam, I am not inclined to transfer this proceeding.



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WEB COPY 5. Accordingly, the Transfer Civil Miscellaneous Petition stands dismissed. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

08.04.2024

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Index:Yes/No

Speaking Order :Yes/No

Neutral Citation:Yes/No

To

The Judicial Magistrate,
Gobichettipalayam



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V. LAKSHMINARAYANAN, J.

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