



TR.CMP(MD).No.55 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 11.03.2024

CORAM :

THE HON'BLE MR JUSTICE G.ILANGO VAN

TR.CMP(MD).No.55 of 2024 and
CMP(MD).No.914 of 2023

S.Kumar

... Petitioner

Vs.

Anbukkarasi

... Respondent

PRAYER:- Petition filed under Section 24 C.P.C., to withdraw the case in DVOP.No.4 of 2017 on the file of the learned Judicial Magistrate Court, Thirumangalam, Madurai District and transfer the same to the file of the Additional Mahila Court, Trichy.

For Petitioner : Ms. R. Yamuna

For Respondent : No appearance

ORDER

This Transfer Civil Miscellaneous Petition is filed seeking to withdraw the case in DVOP.No.4 of 2017 on the file of the learned Judicial Magistrate Court, Thirumangalam, Madurai District and transfer the same to the file of the Additional Mahila Court, Trichy.



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2. The report received from the trial Court stating that the petitioner did not appear and co-operate with the trial Court to complete the process. The trial Court also directed to furnish the assets and liability statement of the respondent on 16.11.2023 as per the direction of the Hon'ble Supreme Court. Thereafter, also the petitioner did not appear and hence, he set ex parte on 11.01.2024. Now, the case is posted on 13.02.2024 for ex parte evidence.

3. Since the petitioner did not co-operate for trial and he was set ex parte before the trial Court, this Court is not inclined to allow this petition. Accordingly, the Transfer CMP is dismissed. The petitioner can work out the remedy in the appropriate Court itself. No costs. Consequently, the connected Miscellaneous Petition is closed.

11.03.2024

Internet : Yes / No

Index : Yes / No

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To

1.The Judicial Magistrate Court, Thirumangalam, Madurai District

2.The Additional Mahila Court, Trichy.



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G.ILANGOVA,J.

Trp

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