



CMP(MD). No.6402 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Thursday, the Twenty Ninth day of August Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice P. VADAMALAI

CMP(MD). No.6402 of 2024

in

Tr.C.M.P.(MD).No.701 of 2023

Kamatchi

... Petitioner/Petitioner

Vs

Jeganath

... Respondent/Respondent

Prayer :-

This Petition is filed under section 151 of C.P.C to Set aside the order dated 20.03.2024 in Tr.C.M.P.(MD) No.701 of 2023 and restore the same which was dismissed for non prosecution on the file of this Honourable High Court.

Prayer in TR CMP(MD). 701/ 2023 :

Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code to pass an order to withdraw the case in H.M.O.P No.183 of 2023 on the file of the learned Sub Judge, Sivakasi, Virudhunagar District and Transfer the same to the Learned Family Court, Thoothukudi or any other competent court outside the Madurai District.



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ORDER:- This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Thiru.S.Selvakrishnan, Advocate for the Petitioner and of Thiru.M.Kannan, Advocate for the respondent this Court made the following order:

This Civil Miscellaneous Petition has been filed to restore the Transfer Civil Miscellaneous Petition in Tr.C.M.P.(MD)No.701 of 2023 which was dismissed for default on 20.03.2024.

2. Heard the learned counsel for the petitioner.

3. Mr.M.Kannan takes notice for the respondent, and has raised only formal objections to this petition.

4. I have perused the affidavit filed in support of this petition.

5. Being satisfied with the reasons stated in the affidavit, this petition is ordered as prayed for.

6. Registry is directed to restore the Transfer Civil Miscellaneous Petition in

<https://www.mhc.tn.gov.in/judis>



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Tr.C.M.P.(MD)No.701 of 2023, and list the matter on **12.09.2024**.

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Sd/-

Assistant Registrar (CS-I)

// True Copy //

/09/2024

Sub Assistant Registrar
(CS-I, II, III, IV)

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TO

The Sub Judge,
Sivakasi,
Virudhunagar District
District.

Copy to:

The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai

ORDER DATED : 29/08/2024

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ORDER

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CMP(MD). No.6402 of 2024

in

Tr.C.M.P.(MD).No.701 of 2023

Giving direction and etc.
as stated within.

RD(04/09/2024) 3P / 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.
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