



Tr.CMP.(MD)No.310 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 08.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Tr.CMP.(MD)No.310 of 2023

and

CMP(MD)No.6947 of 2023

Kamali @ Janani

.. Petitioner

Vs.

C.Balachandar

.. Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Civil Procedure Code, to withdraw the proceedings in HMOP.No.68 of 2022 on the file of the Sub Court, Manapparai and transfer the same to the Sub Court, Namakkal.

For Petitioner : Mr.S.Anand Chandrasekar

For Respondent : No appearance

ORDER

The petitioner is the wife of the respondent. She is facing the divorce proceedings before the Sub Court, Manapparai in HMOP.No.68 of 2022 filed by her husband/respondent herein. This petition has been



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filed to transfer the HMOP.No.68 of 2022 from the file of the Sub Court, Manapparai to the file of the Sub Court, Namakkal.

2. The learned counsel for the petitioner submitted that the respondent separated her two children from her and now the petitioner is residing at Namakkal along with her parents. He further submitted that and she has to attend the Court proceedings from Namakkal to Manapparai and there is a life threat from her husband and hence, she is not in a position to travel from Namakkal to Manapparai for every hearing and it is also difficult for her to contest the case before the Sub Court, Manapparai. Hence, she filed this petition to transfer the HMOP.No.68 of 2022 from the file of the Sub Court, Manapparai to the file of the Sub Court, Namakkal.

3.Respondent remains absent inspite of service of notice.

4. Considering the pendency of the case, this Court withdraws H.M.O.P.No.68 of 2022 from the file of the Sub Court, Manapparai and transfers the same to the Sub Court, Manapparai. The Sub Court, Manapparai is directed to transfer the entire records in H.M.O.P.No.68 of 2022 to the transferee Court forthwith. The transferee Court shall receive the records and assign a new number, send notice to both parties and proceed further in the matter.



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5. With the above direction, this Transfer Civil Miscellaneous Petition stands allowed. Consequently, connected miscellaneous petition is closed.

08.03.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
PJL

To

1. The Sub Judge, Manapparai.
2. The Judge, Sub Court, Namakkal.



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G.ILANGO VAN. J.

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