



Tr.C.M.P.(MD).No.358 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Tr.C.M.P.(MD).No.358 of 2023
and C.M.P.(MD).No.7652 of 2023

Kalaivani

... Petitioner/Respondent

Vs.

K.Ganapathy

... Respondent/Petitioner

PRAYER : Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, to withdraw the HMOP.No. 312 of 2022 on the file of the Learned Principal Sub-Court, Madurai and transfer the same to the Learned Subordinate Court, Aruppukottai, Virudhunagar District.

For Petitioner : Mr.V.Sasikumar

For Respondent : Mr.K.Malaimaran

ORDER

This petition has been filed to withdraw the HMOP.No. 312 of 2022 on the file of the Learned Principal Sub-Court, Madurai and transfer the same to the Learned Subordinate Court, Aruppukottai,



Tr.C.M.P.(MD).No.358 of 2023

Virudhunagar District.

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2.The facts in brief:

The marriage was solemnized between the parties on 12.12.2010. Thereafter, the respondent demanded more dowry from the petitioner and harassed her. Hence, she filed D.V.C.No.6 of 2016, before the learned Judicial Magistrate No.II, Virudhunagar. Therefore, the respondent filed H.M.O.P.No.312 of 2022, before the Principal Sub Court, Madurai for restitution of conjugal rights. Since the petitioner is unable to attend every hearing at Madurai, she filed this petition seeking transfer of the case.

3.Heard both sides.

4.The learned counsel for the respondent would submit that the place of residence of the petitioner is Virudhunagar. So the matter can be transferred to the Sub Court, Virudhunagar.

5.Considering the facts and circumstances of the case and in view



Tr.C.M.P.(MD).No.358 of 2023

of the submissions made by the learned counsel for the respondent the H.M.O.P.No.312 of 2022, filed by the respondent on the file of the Principal Subordinate Court, Madurai, is ordered to be withdrawn and transferred to the Subordinate Court, Virudhunagar.

6.Accordingly, this transfer civil miscellaneous petition is allowed.

No costs. Consequently, connected miscellaneous petition is closed.

28.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
TM

To

- 1.The Principal Subordinate Judge, Madurai.
- 2.The Subordinate Judge, Virudhunagar.
- 3.The Section Officer,
E.R.Section/V.R.Section,
Madurai Bench of Madras High Court, Madurai.



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Tr.C.M.P.(MD).No.358 of 2023

G.ILANGO VAN,J.

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Tr.C.M.P.(MD).No.358 of 2023

28.03.2024