



Tr.C.M.P.(MD).No.419 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 09.02.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Tr.C.M.P.(MD).No.419 of 2023
and C.M.P.(MD).No.8798 of 2023

M.Kavitha

... Petitioner/Respondent

Vs.

D.V.M.Raja

... Respondent/Petitioner

PRAYER : Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, to withdraw the H.M.O.P.NO.20 of 203 on the file of the Subordinate Court, Uthamapalayam and transfer the same to the file of the Subordinate Court, Thittakudi, Cudalore District.

For Petitioner : Mrs.M.Sudharani for M/s.R.Gayathri

For Respondent : Mr.B.Fazil Kirmani

ORDER

This revision has been filed seeking to transfer the H.M.O.P.NO. 20 of 203 from the file of the Subordinate Court, Uthamapalayam, to the file of the Subordinate Court, Thittakudi, Cudalore District.

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2.The facts in brief:

The marriage was solemnized between the parties on 26.10.2008. Thereafter, after some time the petitioner was driven out of the matrimonial home. Consequently, the respondent filed H.M.O.P.NO. 20 of 2023 before the Sub Court, Uthamapalayam. Since the petitioner could not travel to attend every hearing. Hence, she filed this petition.

3. Heard both sides.

4. The learned counsel for the respondent would submit that the respondent has no objection to transfer the case as prayed for by the petitioner. But, he seeks a direction to the transferee Court to dispose of the case within a stipulated time fixed by this Court. Such a direction cannot be given by this Court. Both parties can make their request for speedy disposal before the transferee Court itself.

5. Accordingly, the H.M.O.P.NO.20 of 2023 filed by the respondent on the file of the Subordinate Court, Uthamapalayam is



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ordered to be withdrawn and transferred to the Subordinate Court,
Thittakudi, Cudalore District.

6.With the above said directions, this petition is allowed. No costs.

Consequently, connected miscellaneous petition is closed.

09.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

- 1.The Subordinate Judge, Uthamapalayam.
- 2.The Subordinate Judge, Thittakudi, Cudalore District.
- 3.The Section Officer,
E.R.Section/V.R.Section,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGO VAN,J.

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