



Tr.C.M.P.(MD).No.499 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 09.02.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Tr.C.M.P.(MD).No.499 of 2023
and C.M.P.(MD).No.10919 of 2023

Nagalakshmi

... Petitioner/Respondent

Vs.

D.Amesan

... Respondent/Petitioner

PRAYER : Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, to withdraw the proceedings in H.M.O.P.NO. 129 of 2023 on the file of the Subordinate Court, Uthamapalayam and transfer the same to the Subordinate Court, Palani.

For Petitioner : Mr.V.Muthu Samundeeswaran

For Respondent : No Appearance

ORDER

This petition has been filed to withdraw the proceedings in H.M.O.P.NO.129 of 2023 on the file of the Subordinate Court, Uthamapalayam and transfer the same to the Subordinate Court, Palani.



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2.The facts in brief:

The marriage between the parties was solemnized on 02.12.2018. Out of the above said wedlock they got a female child. After her birth, there was misunderstanding between them. Due to which the above said H.M.O.P. proceedings was initiated by the respondent before the Sub Court, Uthamapalayam. Since the petitioner facing difficulties to attend the hearing at Uthamapalayam, this petition has been filed.

3.Heard the learned counsel for the petitioner. Even though the respondent was served with notice, none appears on behalf of him. His name was also printed in the cause list.

4.Considering the facts and circumstances of the case and considering the convenience of the wife, the H.M.O.P.NO.129 of 2023 filed by the respondent on the file of the Sub Court, Uthamapalayam, is ordered to be withdrawn and transferred to the Sub Court, Palani.



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

Consequently, connected miscellaneous petition is closed.

09.02.2024

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

To

1. The Subordinate Judge, Uthamapalayam.
2. The Subordinate Judge, Palani.
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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