



Tr.C.M.P.(MD).Nos.571 to 573 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.02.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Tr.C.M.P.(MD).Nos.571 to 573 of 2023
and C.M.P.(MD).Nos.13068, 13070 & 13076 of 2023

Tr.C.M.P.(MD).No.571 of 2023

1.Raja @ S.V.M.Indiran

2.Padmavathi

3.S.Manivannan

... Petitioners/Respondents

Vs.

R.V.Komalasree

... Respondent/Petitioner

PRAYER : Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, to withdraw and transfer the case in D.V.C.No.13 of 2022 on the file of the Additional Mahila Court, (Judicial Magistrate Level), Theni, to the file of the learned Judicial Magistrate, Alandur.

For Petitioners : Mr.S.Selva Aditya

For Respondent : Mr.C.Jeganathan



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Tr.C.M.P.(MD).No.572 of 2023

Raja @ S.V.M.Indiran

... Petitioner/Respondent

Vs.

R.V.Komalasree

... Respondent/Petitioner

PRAYER : Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, to withdraw and transfer the case in H.M.O.P.No.275 of 2022 on the file of the Family Court, Theni, to the file of the Family Court, Alanthur.

For Petitioner : Mr.S.Selva Aditya

For Respondent : Mr.C.Jeganathan

Tr.C.M.P.(MD).No.573 of 2023

Raja @ S.V.M.Indiran

... Petitioner/Respondent

Vs.

R.V.Komalasree

... Respondent/Petitioner

PRAYER : Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, to withdraw and transfer the case in H.M.O.P.No.145 of 2023 on the file of the Family Court, Theni, to the file of the Family Court, Alanthur.

For Petitioner : Mr.S.Selva Aditya

For Respondent : Mr.C.Jeganathan



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COMMON ORDER

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Tr.C.M.P.(MD).No.571 of 2023 has been filed to withdraw and transfer the case in D.V.C.No.13 of 2022 on the file of the Additional Mahila Court, (Judicial Magistrate Level), Theni, to the file of the learned Judicial Magistrate, Alandur.

Tr.C.M.P.(MD).No.572 of 2023 has been filed to withdraw and transfer the case in H.M.O.P.No.275 of 2022 on the file of the Family Court, Theni, to the file of the Family Court, Alanthur.

Tr.C.M.P.(MD).No.573 of 2023 has been filed to withdraw and transfer the case in H.M.O.P.No.145 of 2023 on the file of the Family Court, Theni, to the file of the Family Court, Alanthur.

2.The learned counsel for the petitioner is referring the medical records filed in Tr.C.M.P.(MD).No.573 of 2023, stating that the petitioner is suffering by spinal card ailment and he was advised to take bed rest. He would further submit that the respondent is undergoing treatment in Arya Vaidya Sala, Kottakkal, at Chengalpattu. Hence, he seeks transfer of all these cases to Alanthur. The counsel for the petitioner would submit that the earlier application, which was filed by



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the petitioner before the Family Court, Chengalpattu, was transferred to the Family Court, Theni, on petition filed by the respondent. On that ground objection is raised.

3.Already two matters are pending before the Family Court, Theni. These matters cannot be transferred from the Theni to Alandur. If the petitioner feels inconvenience, he can approach the concerned Courts and make his request for dispense his personal appearance. On such request, the trial Court shall consider the same favourably by considering his physical condition.

4.With the above said directions, these transfer civil miscellaneous petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

29.02.2024

Index : Yes / No
Internet : Yes / No
TM

To

1.The Judicial Magistrate, Additional Mahila Court, (Magisterial Level),
Theni.

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2.The Judge, Family Court, Theni.

3.The Section Officer,
E.R.Section/V.R.Section,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGOVAAN,J.

TM

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