



TR.C.M.P(MD).No.644 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 06.03.2024

CORAM :

THE HONOURABLE Mr.JUSTICE G.ILANGO VAN

TR.C.M.P(MD)No.644 of 2023

and

C.M.P(MD)No.14450 of 2023

D.Praveen Kumar

... Petitioner

Vs

N.Aparna

... Respondent

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw H.M.O.P.No.194 of 2022 on the file of the Subordinate Court, Virudhunagar and transfer the same to the file of Subordiante Court, Trichy.

For Petitioner : Mr.M.Maria Vinola

For Respondent : No appearance

ORDER

This Transfer Civil Miscellaneous Petition is filed to withdraw H.M.O.P.No.194 of 2022 on the file of the Subordinate Court,



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Virudhunagar and transfer the same to the file of Subordinate Court, Trichy.

2. The case of the prosecution is that the marriage between the petitioner and the respondent was solemnized on 19.11.2018 at Virudhunagar, as per the Hindu rites and customs. They started their matrimonial life at Neyveli. A female child was born to them. The petitioner is a physically challenged and working at Canara Bank, Neyveli. Due to the misunderstanding arose between them, the respondent has left the the matrimonial home. Later the petitioner filed H.M.O.P.No.98 of 2022 before the Subordinate Court, Neyveli and as per the order of this Court the same was transferred to the Subordinate Court, Virudhunagar and renumbered as H.M.O.P.No.134 of 2023. The respondent filed H.M.O.P.No.194 of 2022 before the Subordinate Court, Virudhunagar for restitution of conjugal rights. Now the petitioner is living at Neyveli. Finding it difficult to travel from Neyveli to Virudhunagar, to attend the Court proceedings, this petition came to be filed seeking transfer.



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3. Eventhough notice was served on the respondent, there was no representation.

4. However, considering the physical condition of the petitioner, and by considering the convenience of the petitioner to attend the Court proceedings, this Transfer Civil Petition is liable to be allowed.

5. Accordingly, this Transfer Civil Miscellaneous Petition is liable to be allowed. There shall be a direction to the learned Subordinate Judge, Virudhunagar, to transfer the entire records in H.M.O.P.No.194 of 2022, immediately to the file of the Subordinate Court, Trichy. After receiving the records, the learned Subordiante Judge, Trichy, may assign new number and issue notice to parties for appearance and dispose the case in accordance with law. Consequently, connected miscellaneous petition is closed. No costs.

06.03.2024

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

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G.ILANGOVA, J.

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To

1. The Subordinate Judge, Virudhunagar.
2. The Subordinate Judge, Trichy.

ORDER
IN
TR.C.M.P(MD)No.644 of 2023
and
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