



Tr.C.M.P(MD)No.763 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 24.09.2024

CORAM

THE HON'BLE MR.JUSTICE P.VADAMALAI

Tr.C.M.P(MD)No.763 of 2023

and

C.M.P(MD)No.17126 of 2023

Monisha

... Petitioner

Vs.

1.Sridhar

2.Matchakalai

3.Vijaya

... Respondents

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw D.V.C.No.3 of 2020 on the file of the Judicial Magistrate, Thiruppathur and transfer the same to the file of the Judicial Magistrate, Pudukkottai.

For Petitioner : Ms.A.Banumathy

For R1 : No Appearance

For R2 & R3 : Mr.V.Santhakumaresan

ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw the case in D.V.C.No.3 of 2020 on the file of the learned Judicial Magistrate, Thiruppathur and transfer the same to the learned Judicial Magistrate, Pudukkottai.



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2. The learned counsel for the petitioner would submit that the petitioner is the wife of the first respondent and she has filed a petition in D.V.C.No.3 of 2020 before the learned Judicial Magistrate, Thiruppathur when she was residing at Alampatti, Thiruppathur Taluk, Sivagangai District. Now the petitioner is residing at Konapattu, Pudukkottai District with her 4-year-old son, who is studying UKG at ST Joseph Matric Secondary School, Thirumayam, Pudukkottai District and she finds it difficult to attend every hearing before the learned Judicial Magistrate, Thiruppathur with her son. Hence, she seeks to transfer the case as prayed for.

3. Eventhough the first respondent name was printed in the cause list, no one appeared on behalf of him.

4. The learned counsel for the second and third respondents would submit that the son of the first respondent is studying at Thirumayam, which is 10 kms away from Konapattu and hence the case may be transferred from the file of the learned Judicial Magistrate Thiruppathur to the file of the learned Magistrate, Thirumayam, for which, the learned counsel for the petitioner has not raised any objection.



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5. Since both parties have agreed to transfer the case from the file of the learned Judicial Magistrate Thiruppathur to the file of the learned Magistrate, Thirumayam, this Transfer Civil Miscellaneous Petition is allowed accordingly and the case in D.V.C.No.3 of 2020 pending on the file of the learned Judicial Magistrate, Thiruppathur, is hereby withdrawn and transferred to the file of the learned Magistrate, Thirumayam.

6. The learned Judicial Magistrate, Thiruppathur, is directed to transmit the entire records pertaining to the case in D.V.C.No.3 of 2020 to the learned Judicial Magistrate, Thirumayam within a period of two weeks from the date of receipt of a copy of this order. On receipt of records, the learned Judicial Magistrate, Thirumayam is directed to take the case on file and dispose the same as expeditiously as possible in accordance with law. No costs. Consequently, connected Miscellaneous Petition is closed.

24.09.2024

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



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- To
- 1.The Judicial Magistrate,
Thiruppathur.
 - 2.The Judicial Magistrate,
Thirumayam.
 - 3.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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P.VADAMALAI, J.

VSD

Order made in
Tr.C.M.P(MD)No.763 of 2023
and
C.M.P(MD)No.17126 of 2023

24.09.2024