



Tr.C.M.P.(MD).No.15 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Tr.C.M.P.(MD).No.15 of 2024
and C.M.P.(MD).No.229 of 2024

Rasitha

... Petitioner/Petitioner

Vs.

1.Mr.M.Syed Ansari
2.M.Rasool Ahamed
3.M.Rabika
4.M.Vajiha

... Respondents/Respondents

PRAYER : Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, to pass an order to withdraw the case in D.V.C.No.09 of 2021 pending on the file of the learned Judicial Magistrate No.1, at Mannarkudi, Thiruvarur District and transfer the same to the learned Judicial Magistrate, Dindigul or any other competent Court in Dindigul, within the time stipulated by this Court.

For Petitioner : Mr.A.Mohamed Riyaz

For Respondent : No Appearance



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ORDER

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This petition has been filed to pass an order to withdraw the case in D.V.C.No.09 of 2021 pending on the file of the learned Judicial Magistrate No.1, at Mannarkudi, Thiruvarur District and transfer the same to the learned Judicial Magistrate, Dindigul or any other competent Court in Dindigul, within the time stipulated by this Court.

2.The marriage between the parties was solemnized on 20.03.2019. Thereafter, a male baby was born to them. But, the husband suspicious about the petitioner's pregnancy. The respondent and other in-laws ill-treated the petitioner. After several compromise talk in the presence of elder, they could not compromise. Hence, she filed the present D.V.C. Petition while she was in her marital home. Now she residing at her parental home along with her parents. Now the post of Judicial Magistrate No.I, Mannarkudi is also kept vacant. Hence, she seeks transfer of above said D.V.C. to the Court of Judicial Magistrate, Dindigul.

3.Heard the learned counsel for the petitioner. Even though the



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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 D.V.C.No.9 of 2021 filed by the petitioner on the file of the Judicial Magistrate Court No.I, Mannarkudi, Thiruvarur District, is ordered to be withdrawn and transferred to the Judicial Magistrate Court, Dindigul.

5.Accordingly, this transfer civil miscellaneous petition is allowed.
No costs. Consequently, connected miscellaneous petition is closed.

18.03.2024

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

To

- 1.The Judicial Magistrate No.I, Mannarkudi, Thiruvarur District.
- 2.The Judicial Magistrate, Dindigul.
- 3.The Section Officer,
E.R.Section/V.R.Section,

3/5



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Madurai Bench of Madras High Court, Madurai.

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G.ILANGO VAN,J.

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