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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.06.2025

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

Tr.C.M.P.No.27 of 2025

& CMP.No.663 of 2025

Nithya

... Petitioner

VS.

Prakash

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure to withdraw the I.A. No.1 of 2024 in HMOP. SR. No. 5077 of 2024 before the learned District Family Judge at Salem and transfer the same to the file of the Sub Court at Mettur.

For Petitioner : Mr.A.K.Athiban Vijay

For Respondent : No appearance

ORDER

The petitioner/wife seeks transfer of I.A. No.1 of 2024 in HMOP. SR. No. 5077 of 2024 from the file of learned District Family Judge at Salem to the file of the Sub Court at Mettur.



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2. Heard the learned counsel for the petitioner Mr.A.K.Athiban Vijay.

Despite service of notice on the respondent, the respondent has not chosen to enter appearance either in person or through counsel. The respondent is called and set ex-parte.

3. The petitioner has expressed her genuine inconvenience to attend the proceedings before the learned District Family Judge at Salem and has come forward seeking transfer of the said proceedings on the file of the Sub Court at Mettur and has made out justifiable grounds seeking transfer of I.A. No.1 of 2024 in HMOP. SR. No. 5077 of 2024 from the file of learned District Family Judge at Salem to the file of the Sub Court at Mettur.

4. I have also gone through the averments set out in the affidavit filed in support of the petition and I am satisfied with the reasons assigned in the affidavit and the petitioner has made out a prima facie case for seeking transfer as prayed for.



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5. In the light of the above, this Transfer Civil Miscellaneous Petition is allowed. The case in I.A. No.1 of 2024 in HMOP. SR. No. 5077 of 2024 is hereby withdrawn from the file of the learned District Family Judge at Salem to the file of the Sub Court at Mettur. There shall be no order as to costs. Connected Civil Miscellaneous Petition is closed.

05.06.2025

Speaking/Non-speaking : Yes/No
Index : Yes / No
rkp

To

- 1.The District Family Judge, Salem.
- 2.The Sub Judge, Sub Court, Mettur.



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P.B.BALAJI.J.,

rkp

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