



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :17.07.2017

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Tr.C.M.P. (MD)No.224 of 2017

and C.M.P. (MD)No.5120 of 2017

G.Vaneswari

... Petitioner/Respondent

Vs.

S.Ravishankar

... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, to withdraw and transfer the in H.M.O.P.No.232 of 2017 on the file of the Family Court, Madurai and transfer to Sub Court, Sivakasi.

For Petitioner : Mr.Lakshmi Gopinathan
For Respondent : Mr.C.A Ganapathi

O R D E R

This Transfer Civil Miscellaneous Petition is filed seeking transfer of H.M.O.P.No.232 of 2017 from the file of the Family Court, Madurai to the file of the Sub Court, Sivakasi.

2. Heard Mr.Lakshmi Gopinathan, learned counsel appearing for the petitioner and Mr.C.A.Ganapathi, learned counsel appearing for the respondent.

3. The petitioner would submit that she was married to the respondent on 19.02.2014. The marriage took place at Madurai as per the wish of the respondent's parents and the petitioner was put to severe mental agony and tortures by the respondent and his parents. The petitioner submit that she was forcibly sent out of the matrimonial home by the respondent herein, his parents and relatives demanding huge money as dowry. The Petitioner would also submit that she hails from a poor family and she is now depending on the aged widow mother for her survival. The petitioner submit that the respondent herein has filed H.M.O.P.No232 of 2017 on the Family Court, Madurai and she is not able to appear before the Family Court, Madurai for every hearing and the petitioner needs to take her mother to appear before the Court. The petitioner submit that she also needs Rs.500/- every time towards travelling and food expenses to come to Madurai for every hearing.

4. The learned counsel for the respondent filed a counter affidavit stating that if the case is transferred to Sivakasi, there is life threat. He would submit that the case may be transferred to any other court except Sivakasi and suggested that the case may be



transferred to the file of Sub Court, Virudhunagar, for which, the petitioner has no objection.

5. Considering the above submission, I am inclined to allow this Transfer Civil Miscellaneous Petition. Accordingly, this petition is allowed with the following directions:

i) The learned Judge, Family Court, Madurai, is directed to transmit the entire records in H.M.O.P No.232 of 2017 to the file of the Sub Court, Virudhunagar, within a period of two weeks from the date of receipt of copy of this order.

ii) the learned Subordinate Judge, Virudhunagar after obtaining the records on transfer, is directed to dispose of H.M.O.P No.232 of 2017 as expeditiously as possible in accordance with law.

No costs. Consequently, connected C.M.P.(MD) No.5120 of 2017 is closed.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To,

1. The Sub Court, Virudhunagar
2. The Family Court, Madurai.

+1cc to POLAX LEGAL SOLUTIONS in SR. No.65740

CM

JS/SV/SAR.2/28.7.2017/2P-4C

Tr.C.M.P. (MD) No.224 of 2017
and C.M.P. (MD) No.5120 of 2017

17.07.2017