



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.11.2018

CORAM

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

TR.C.M.P. (MD).No.419 of 2018 and
C.M.P. (MD)No.9996 of 2018

Rajalakshmi

... Petitioner/Respondent

Vs.

Sekar

... Respondent/Petitioner

PRAYER : Transfer Civil Miscellaneous petition is filed under Section 24 r/w 151 of the Civil Procedure Code, to pass an order of withdrawal of H.M.O.P.No.298 of 2018 pending on the file of the learned Additional Subordinate Judge, Thiruppur and transfer the same to the file of the Family Court, Sivagangai or any other competent Court.

For Petitioner : Mr.R.P.Ramachanthiran
For Respondent : No appearance.

ORDER

The petitioner got married to the respondent on 06.11.2016. A male child was born to the petitioner through the wedlock. The marital relationship between the parties appears to have come under strain. The respondent filed H.M.O.P.No.298 of 2018 before the Additional Sub Court, Thiruppur, seeking divorce.

2. The petitioner is a woman. She is having an young child to take care. Therefore, it will be difficult for the petitioner to go to Thiruppur and contest the proceedings. Therefore, in the interest of justice and taking into account all these aspects, this Court withdraws H.M.O.P.No.298 of 2018 from the file of the Additional Sub Court, Thiruppur, and transfer the same to the file of the learned Judge, Family Court, Sivagangai.

3. The respondent however need not appear in person before the Family Court, Sivagangai, on all occasions. He needs to appear only on counselling dates and on those days, when for his examination as witness, his presence is necessary and on all other days he can be represented through his counsel.



4. The Transfer Civil Miscellaneous petition stands allowed, accordingly. No costs. Consequently, connected Miscellaneous petition is closed.

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Sd/-
Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar (CS-IV)

To

1. The Additional Subordinate Judge,
Thiruppur.
 2. The Judge, Family Court, Sivagangai.
- + 1 CC TO Mr.R.P.RAMACHANTHIRAN, ADVOCATE IN SR No. 93684

PMU
TE/SV/SAR-4 : 04/12/2018 : 2P/4C

ORDER MADE IN
TR.C.M.P. (MD) .No.419 of 2018 and
C.M.P. (MD)No.9996 of 2018
01.11.2018