



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.09.2019

CORAM

THE HONOURABLE MS.JUSTICE P.T. ASHA

TR.C.M.P. (MD)No.193 of 2019
and C.M.P (MD)No.4482 of 2019

V.Saraswathi

... Petitioner/Respondent

Vs.

M.Raman

... Respondent/Petitioner

PRAYER:- Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C to withdraw and transfer H.M.O.P.No.1393 of 2019 on the file of the Family Court, Chennai to the learned Sub Court, Thoothukudi.

For Petitioner : Mr.G.Thalaimutharasu

For Respondent : No appearance

J U D G M E N T

This Transfer Civil Miscellaneous Petition is filed by the wife, who is the respondent in the proceedings pending before the Family Court, Chennai in H.M.O.P. No.1393 of 2019 which is filed by the husband seeking to dissolve the marriage between him and the petitioner solemnized on 13.05.2015. Out of the wedlock, the petitioner and the respondent are blessed with a male child by name, Ajay.

2. The petitioner is physically challenged and the minor child is living with her at Tuticorin. The petitioner would submit that since the matter is pending before the Family Court, Chennai she has to travel to Chennai for every hearing.

3. Considering the physical condition of the petitioner and considering the fact that somebody has to accompany her to Chennai which means the additional financial burden on her and the husband is also not maintaining both herself and her minor child, this Court is inclined to allow this Transfer Civil Miscellaneous Petition.

4. The following directions are issued:

- i) The Judge, Family Court, Chennai, is directed to transmit the entire records in H.M.O.P.No.1393 of 2019 to the file of the Subordinate Judge, Thoothukudi within a period of two weeks from the date of receipt of copy of this order.



ii) the learned Subordinate Judge, Thoothukudi, after obtaining the records on transfer, is directed to dispose of H.M.O.P.No.1393 of 2019 as expeditiously as possible in accordance with law.

6. In the result, this transfer civil miscellaneous petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

CM

To

1.The Family Court, Chennai.

2.The Subordinate Judge, Thoothukudi.

+1 CC to Mr.G.THALAIMUTHUARASU, Advocate SR-88995.

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