



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2019

CORAM :

THE HONOURABLE MS.JUSTICE **P.T.ASHA**

TR.C.M.P. (MD) No.219 of 2019

and

C.M.P. (MD) No.5227 of 2019

P.Sumithra

... Petitioner

vs.

R.Palaniselvam @ Povash

... Respondent

Prayer:-This Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceedings in IDOP.No.33 of 2019 on the file of the Principal District Court, Virudhunagar District at Srivilliputhur and to transfer the same to the file of Fast Track Court, (Additional District Court Level), Tenkasi.

For Petitioner : Mr.J.Jeyakumaran

For Respondent : No appearance

ORDER

The above Transfer Civil Miscellaneous Petition is filed by the petitioner/wife seeking to transfer the petition in IDOP.No.33 of 2019 filed by the respondent/husband for divorce on the file of the learned Principal District Judge, Srivilliputhur to the file of the Fast Track Court(Additional District Court Level), Tenkasi.

2.No representation on behalf of the respondent.

3.The learned counsel appearing for the petitioner/wife would submit that the respondent/husband has not maintained the petitioner as well as his minor daughter, Jhansi Rani and he has also not taken any steps to visit his daughter and therefore, she is totally depending on her parents. Hence, the petitioner/wife filed a maintenance case in MC.No.4 of 2015 on the file of the Judicial Magistrate Court, Senkottai. After the filing of the said maintenance case, the respondent/husband has filed a petition in IDOP.No.33 of 2019 for divorce on the file of on the file of the learned Principal District Judge, Srivilliputhur. He would further submit that it would be very difficult for the petitioner/wife to travel for every hearing from Tenkasi to Srivilliputhur along with her minor daughter since her husband has not maintaining them.



4. In view of the above, this Transfer Civil Miscellaneous Petition is allowed and the petition in IDOP.No.33 of 2019 pending on the file of the learned Principal District Judge, Srivilliputhur, Virudhunagar District, is ordered to be withdrawn and transferred to the file of Fast Track Court(Additional District Court Level), Tenkasi. The learned Principal District Judge, Srivilliputhur, Virudhunagar District, is directed to transmit the entire records of IDOP.No.33 of 2019 to the Fast Track Court(Additional District Court Level), Tenkasi, as expeditiously as possible. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (crl side)

// True Copy //

Sub Assistant Registrar(CS)

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To

- 1.The Principal District Judge,
Srivilliputhur,
Virudhunagar District.
- 2.The Additional District Judge,
Fast Track Court,
Tenkasi.

+1 CC to Mr.J.JEYAKUMARAN, Advocate (SR-92838[F] dated 18/10/2019)

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