



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 15.10.2019
CORAM :

THE HONOURABLE MS.JUSTICE P.T.ASHA

Tr.C.M.P(MD)No.53 of 2019

and C.M.P. (MD) No.1391 of 2019

Dr.S.Kalaranjani ... Petitioner/Petitioner

Vs.

Dr.A.Nirmal Kumar ... Respondent/Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code to withdraw the case in H.M.O.P.No.556 of 2018 on the file of the Family Court, Madurai and transfer to the Family Court, Puducherry.

For Petitioner : Mr.Mayil Vahana Rajendran
For Respondent : No appearance

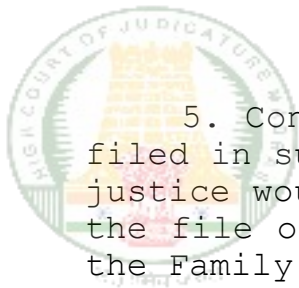
J U D G M E N T

This transfer civil miscellaneous petition is filed by the petitioner for transfer of H.M.O.P.No.556 of 2018 from the file of the Family Court, Madurai, to the file of the Family Court, Puducherry.

2. The petitioner is the wife and she has filed the said H.M.OP.No. 556 of 2018 seeking dissolution of marriage with the respondent conducted on 09.10.2011. It appears that after filing of H.M.O.P, the petitioner has got appointed at the Indira Gandhi Medical College and Research Institute at Puducherry. She has therefore filed this petition to have H.M.O.P.No.556 of 2018 pending on the file of the Family Court, Madurai, to be transferred to the file of the Family Court, at Puducherry.

3. The petitioner has contended that since the matter is pending before the Family Court, she would have to appear for every hearing which, on account of her present profession would gravely be inconvenient to her.

4. Heard the learned counsel for the petitioner. The respondent though served has not appeared either in person or through counsel.



5. Considering the reasons that has been given in the affidavit filed in support of this petition, I am of the view that interest of justice would be sub-served if H.M.O.P.No.556 of 2018 now pending on the file of the Family Court, Madurai is transferred to the file of the Family Court, at Puducherry.

6. Accordingly, this Court is inclined to issue the following direction:

i) The learned Judge, Family Court, Madurai, is directed to transmit the entire records in H.M.O.P.No.556 of 2018 to the file of the Family Court, Puducherry, within a period of two weeks from the date of receipt of copy of this order.

ii) the learned Judge, Family Court, Puducherry, after obtaining the records on transfer, is directed to try H.M.O.P.No.556 of 2018 and dispose of the same as expeditiously as possible in accordance with law.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Judge,
The Family Court, Madurai.
2. The Judge,
The Family Court, Puducherry.

+1 CC to MR.C.MAYIL VAHANA RAJENDRAN, Advocate (SR-91940[F] dated 15/10/2019)

Tr.C.M.P(MD)No.53 of 2019
and C.M.P. (MD) No.1391 of 2019
15.10.2019

CM

MK (30.10.2019) 2P 4C