



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED: 04.06.2019

CORAM:  
THE HONOURABLE MR.JUSTICE S.S. SUNDAR

Tr.C.M.P.(MD).No.464 of 2018 and  
C.M.P.(MD).No.10878 of 2018

Amirtha Banu

.. Petitioner/Respondent

Vs.

Arumugam

.. Respondent/Petitioner

**Prayer:** Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, to withdraw and transfer the H.M.O.P.No.249 of 2018 on the file of Principal Sub Court, Pudukkottai to the Family Court, Trichy District.

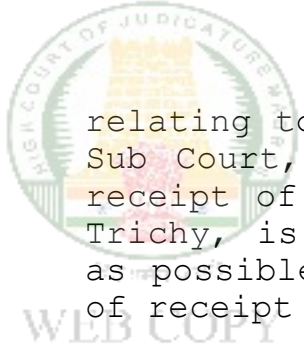
For Petitioner : Mr.T.Senthilkumar  
For Respondents : Mr.K.C.Maniyarasu

**ORDER**

This petition has been filed by the wife to withdraw H.M.O.P.No.249 of 2018 from the file of the Principal Sub Court, Pudukkottai and to transfer the same to the Family Court, Trichy.

2.The respondent has filed the petition in H.M.O.P.No.249 of 2018 under Section 13(1)(iii) of the Hindu Marriage Act, on the ground that the wife is suffering from mental disorder called "Schizophrenia". It is not in dispute that the marriage between the petitioner and respondent was solemnized on 18.03.2016 and that the respondent/husband presently working in Singapore. It is stated that the respondent/husband is engaged and employed in Singapore and that it will be more convenient for him also if the proceedings are transferred to Trichy. The husband cannot come to Pudukkottai without touching Trichy. In such circumstances, the learned counsel appearing for the respondent would submit that if the proceedings is transferred to Family Court, the husband will be put to much inconvenience and hardship and it may be transferred to Sub Court, Trichy. The learned counsel for the petitioner has no serious objection to transfer the proceedings to Sub Court, Trichy instead of Family Court, Trichy.

3.Having regard to the facts relating to the parties, this Court is inclined to withdraw the proceedings in H.M.O.P.No.249 of 2018 on the file of Principal Sub Court, Pudukkottai and transfer the same to the Principal Sub Court, Trichy. The Principal Sub Judge, Pudukkottai, is directed to transfer the original records



relating to the H.M.O.P.No.249 of 2018 on his file to the Principal Sub Court, Trichy, within a period of two weeks from the date of receipt of a copy of this order. The learned Principal Sub Judge, Trichy, is directed to dispose of the proceedings as expeditiously as possible preferably within a period of six months from the date of receipt of the original records.

4. Accordingly, this Transfer Civil miscellaneous petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CRL.SIDE)

/ True Copy /

Sub Assistant Registrar (CS- )

TM

To

1. The Principal Sub Judge,  
Pudukkottai.

2. The Principal Sub Judge, Trichy.

+1 CC to M/s.T.SENTHIL KUMAR, Advocate  
( SR-66958[F] dated 06/06/2019 )

+1 CC to M/s.K.C.MANIYARASU, Advocate  
( SR-66847[F] dated 04/06/2019 )

Tr.C.M.P. (MD) .No.464 of 2018  
04.06.2019

ES/14.06.2019/2P/5C