



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 05.12.2019
CORAM:

THE HONOURABLE MR. JUSTICE R.SUBRAMANIAN

TR.C.M.P. (MD) No.279 of 2019

and

C.M.P (MD) Nos.6516 and 8926 of 2019

A.Ahadha Parveen ... Petitioner
vs.
Kadar Oli ... Respondent

PRAYER: This Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw and transfer the case in O.S.No.29 of 2019 pending on the file of the Sub Court, Thirumangalam to the Family Court, Trichy.

For Petitioner : Mr.A.K.Manickam
For Respondent : Mr.S.M.A.Jinnah

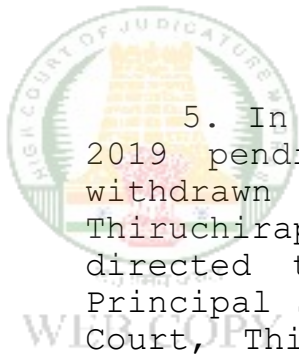
ORDER

This transfer petition has been filed seeking transfer of O.S.No.29 of 2019 pending on the file of the Sub Court, Thirumangalam to the Family Court, Trichy by the defendant / wife.

2. The suit in O.S.No.29 of 2019 on the file of the Sub Court, Thirumangalam has been filed by the husband seeking decree of divorce by dissolving the marriage took place on 26.02.2007. The wife is the permanent resident of Thiruchirappalli and the husband is the permanent resident of Thirumangalam in Madurai District. Since the suit is pending on the file of the Sub Court, it is not necessary for the parties to appear for every hearing.

3. If the request of the petitioner is acceded to and the suit is transferred to the Family Court, the husband, who is the resident of Thirumangalam in Madurai District will be forced to appear for every hearing before the Family Court. This will cause great hardship to the respondent / husband, who is stated to be suffering from Fatty Liver and Ureteriacalculus with mild Hydronephuresis.

3. Considering the convenience of the parties, I deem it fit to transfer the suit in O.S.No.29 of 2019 to the Principal Sub Court, Thiruchirappalli, which exercises jurisdiction in matrimonial matters, which do not fall within the jurisdiction of the Family Court, Trichy.



5. In fine, this Transfer Petition is allowed and O.S.No.29 of 2019 pending on the file of the Sub Court, Thirumangalam is withdrawn and transferred to the Principal Sub Court, Thiruchirapalli. The learned Subordinate Judge, Thirumangalam is directed to transmit the papers in O.S.No.29 of 2019 to the Principal Sub Court, Thiruchirapalli forth with. The Principal Sub Court, Thiruchirapalli is required to hear the suit on priority basis and dispose of the same at the earliest. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

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To

- 1.The Sub Court, Thirumangalam
- 2.The Principal Sub Court, Thiruchirapalli.

+1 CC to Mr.S.M.A.JINNAH, Advocate (SR-103625[F] dated 05/12/2019)
+1 CC to Mr.A.K.MANICKAM, Advocate (SR-103695[F] dated 05/12/2019)

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MK (20.12.2019) 2P 5C