



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.11.2019**

CORAM :

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

TR.C.M.P. (MD) No.327 of 2019

K.Ashok Kumar

... Petitioner

vs.

K.Salini

... Respondent

Prayer:- This Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the case in HMOP.No.754 of 2018 on the file of the Family Court, Madurai and transfer the same to the Sub Court, Virudhunagar, Virudhunagar District.

For Petitioner : Mr.R.Murugappan

For Respondent : Mr.R.Rajamohan

ORDER

The above Transfer Civil Miscellaneous Petition is filed by the petitioner/husband seeking to transfer the petition in HMOP.No.754 of 2018 filed by him for divorce on the file of the Family Court, Madurai to the file of Sub Court, Virudhunagar, Virudhunagar District.

2.The only reason seeking divorce is that the petitioner/husband is facing severe threat from the respondent's father, who is a retired Borstal School Warden. To buttress the case, a copy of the complaint dated 07.08.2019 made by the petitioner is also enclosed with this petition. In the said complaint dated 07.08.2019, it is alleged that the threat was made on 26.02.2018 and 28.03.2018. There is no reason as to why there is such delay in sending the complaint through Register Post. It is also informed by the learned counsel appearing for the



respondent/wife that since the matter is now being posted for counselling, the petitioner is refusing to appear for counselling. I do not find any merit in the above transfer petition.

3. Accordingly, this Transfer Civil Miscellaneous Petition is dismissed. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The Judge,
Family Court, Madurai.

2.The Subordinate Judge,
Sub Court, Virudhunagar.

+1 CC to M/s.R. RAJAMOHAN, Advocate (SR-96410[F] dated 06/11/2019)

+1 CC to M/s.R.MURUGAPPAN, Advocate (SR-96568[F] dated 07/11/2019)

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JMN(02.12.2019) 2P : 5C