



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.11.2019**

CORAM

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

TR.C.M.P. (MD) Nos.329 & 385 of 2019

and

C.M.P. (MD) Nos.7712 & 8840 of 2019

WEB COPY

in Tr.C.M.P. (MD) No.329 of 2019

S.Anandhalakshmi

... Petitioner

vs.

T.Senthilkumar

... Respondent

Prayer:- This Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the case in HMOP.No.88 of 2019 on the file of the Subordinate Court, Aruppukkottai and transfer the same to the file of Family Court, Madurai to be tried along with HMOP.No.724 of 2019.

For Petitioner : Mr.V.Nagendran

For Respondent : Mr.K.Prabu

in Tr.C.M.P. (MD) No.385 of 2019

T.Senthilkumar

... Petitioner

vs.

S.Anandhalakshmi

... Respondent

Prayer:- This Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the case in HMOP.No.724 of 2019 on the file of the Family Court, Madurai, and to transfer the same to the file of Sub Court, Aruppukkottai, to be tried along with HMOP.No.88 of 2019.

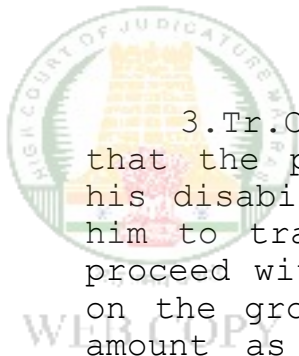
For Petitioner : Mr.K.Prabu

For Respondent : Mr.V.Nagendran

COMMON ORDER

Tr.C.M.P. (MD) No.329 of 2019 is filed by the petitioner/wife seeking to transfer the petition in HMOP.No.88 of 2019 filed by the respondent/husband for divorce on the file of the Subordinate Court, Aruppukkottai to the file of Family Court, Madurai to be tried along with HMOP.No.724 of 2019.

2.Tr.C.M.P. (MD) No.385 of 2019 is filed by the petitioner/husband seeking to transfer the petition in HMOP.No.724 of 2019 filed by the respondent/wife for on the file of the Family Court, Madurai, and to transfer the same to the file of Sub Court, Aruppukkottai, to be tried along with HMOP.No.88 of 2019.



3.Tr.C.M.P.(MD) No.385 of 2019 has been filed on the ground that the petitioner/husband is a physically challenged person and his disability is about 70% and therefore, it is very difficult to him to travel for every hearing from Aruppukkottai to Madurai to proceed with the case. Tr.C.M.P.(MD) No.329 of 2019 has been filed on the ground that since the respondent/husband has not given any amount as maintenance to the petitioner/wife till date, she is totally depending on her parents for her financial expenses and it would be very difficult to her to travel for every hearing from Madurai to Aruppukkottai to proceed with the case.

4.Considering the fact that the husband is a physically challenged person, which fact is also admitted by the wife, Tr.C.M.P.(MD) No.385 of 2019 is allowed and the petition in HMOP.No.724 of 2019 pending on the file of the Family Court, Madurai, is ordered to be withdrawn and transferred to the file of Sub Court, Aruppukkottai. The learned Judge, Family Court, Madurai, is directed to transmit the entire records of HMOP.No.724 of 2019 to the Sub Court, Aruppukkottai, as expeditiously as possible to be tried along with HMOP.No.88 of 2019 and the Tr.C.M.P.(MD) No.329 of 2019 filed by the petitioner/wife stands dismissed. No costs. Consequently, connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

MM

To

1.The Judge,
Family Court,
Madurai.

2.The Subordinate Judge,
Aruppukkottai.

+1 CC to M/s.V.NAGENDRAN, Advocate (SR-97116[F] dated 08/11/2019)
+1CC TO Mr.K.Prabhu, Advocate, Sr.No.97202

TR.C.M.P. (MD) Nos.329 & 385 of 2019
08.11.2019

SMA/13/12/19/2P/5C