



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.11.2019

CORAM

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

TR.C.M.P. (MD) No.343 of 2019

and

C.M.P. (MD) No.7948 of 2019

M.Esakkiammal

... Petitioner

vs.

S.Arumugam

... Respondent

Prayer:-This Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceedings in HMOP.No.2671 of 2019 on the file of the Family Court, Chennai and transfer the same to the file of Sub Court, Dindigul.

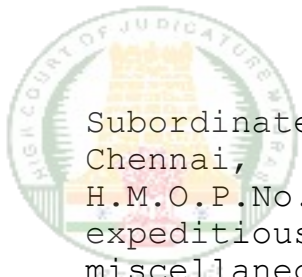
For Petitioner : Mr.C.Prithiviraj
For Respondent : Mr.Prabu

ORDER

The above Transfer Civil Miscellaneous Petition is filed by the petitioner/wife seeking to transfer the petition in HMOP.No.2671 of 2019 filed by the respondent/husband for divorce on the file of the Family Court, Chennai and transfer the same to the file of Sub Court, Dindigul.

2.The learned counsel appearing for the petitioner/wife would submit that the respondent/husband had left the petitioner in a lurch and she is unable to defend the case at Chennai as it is very difficult to travel from Dindigul to Chennai by herself and further, she requires the assistance of another person, both for travel and stay at Chennai and now, since the husband has not been giving her any maintenance money, she is totally depending on her parents for her day to day expenses.

3.Considering the fact that the residence of the petitioner/wife is also conferred with the jurisdiction to try the petition for divorce and taking into account the hardship that is likely to be caused to the petitioner/wife, this Transfer Civil Miscellaneous Petition is allowed and the petition in H.M.O.P.No.2671 of 2019 pending on the file of the Family Court, Chennai, is ordered to be withdrawn and transferred to the file of



Subordinate Court at Dindigul. The learned Judge, Family Court, Chennai, is directed to transmit the entire records of H.M.O.P.No.2671 of 2019 to the Subordinate Court at Dindigul as expeditiously as possible. No costs. Consequently, connected miscellaneous petition is also closed.

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Sd/-

Assistant Registrar (writs)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The Judge,
Family Court,
Chennai.

2.The Subordinate Judge,
Dindigul.

+1 CC to Mr.M.PRABU, Advocate (SR-97093[F] dated 08/11/2019)

+1 CC to Mr.C.PRITHIVIRAJ, Advocate (SR-97355[F] dated 11/11/2019)

TR.C.M.P. (MD) No.343 of 2019

08.11.2019

VB(04.12.2019) 2P 5C