



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 01.11.2019
CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

TR.C.M.P. (MD)No.403 of 2019
and
C.M.P. (MD)No.9193 of 2019

Savithri ... Petitioner/Respondent
Vs.
Ajaykumar ... Respondent/ Petitioner

PRAYER:- Transfer Civil Miscellaneous Petition filed under Section 24 of C.R.P., to withdraw and transfer the petition in H.M.O.P.No.96 of 2018 pending on the file of the Sub-Court, Thoothukudi to the Principal Sub-Court, Thanjavur or any other competent Court at Thanjavur.

For Petitioner : Mr.R.Rajaraman
For Respondent : Mr.N.Ramesh Arumugam

ORDER

The above application is filed by the wife/petitioner seeking to withdraw and transfer the petition filed by the husband/respondent in H.M.O.P.No.96 of 2018 for divorce before the learned Sub-Court, Thoothukudi to the file of learned Principal Sub-Court, Thanjavur. The petitioner herein has filed domestic violence case before the learned Judicial Magistrate No.I, Thanjavur in D.V.C.No.34 of 2019 which is being attended by the respondent.

2.In the above circumstances and since the respondent have no objection for the transfer, this transfer civil miscellaneous petition is allowed as prayed for.

3.The learned counsel for the petitioner would submit that now a new Family Court has been formed at Thanjavur and therefore, the petition may be transferred to the Family Court, Thanjavur, instead of Principal Sub-Court, Thanjavur.

4.In view of the above, the case in H.M.O.P(MD) No.96 of 2018 is ordered to be withdrawn and transferred from the file of the Sub-Court, Thoothukudi, to the file of Family Court, Thanjavur. The learned Sub-Court, Thoothukudi, is directed to transmit the entire records in H.M.O.P.No.96 of 2018 to the learned Family Court, Thanjavur. Considering the fact that the domestic violence case is pending against the respondent, the learned Family Court, Thanjavur,



is directed to dispose of the proceedings in H.M.O.P. No.96 of 2018, as expeditiously as possible, within a period of six months from the date of receipt of records from Sub-Court, Thoothukudi. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

gns

To

1.The Sub-Court,
Thoothukudi

2.The Family Court,
Thanjavur.

+1 CC to Mr.R.RAJARAMAN, Advocate (SR-95500[F] dated 01/11/2019)

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MK (20.11.2019) 2P 4C