



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.11.2019

CORAM :

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

Tr.C.M.P (MD) No.298 of 2018

and

C.M.P. (MD) No.7334 of 2018

J.Gnanasagaya Nivedha

... Petitioner/Respondent

Vs.

A.Chinnadurai

... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code to withdraw the case in I.D.O.P.No.3 of 2018 on the file of the Family Court, Karur and to transfer the same to the Family Court, Theni to try the same.

For Petitioner : Mr.R.Suriyanarayanan
For Respondent : No Appearance

ORDER

This Transfer Civil Miscellaneous Petition is filed by the petitioner/wife seeking transfer of the case in I.D.O.P.3 of 2018 filed for divorce by the respondent/husband on the file of the Family Court, Karur to the file of the Family Court, Theni, within whose jurisdiction, the petitioner/wife is residing.

2. The reasons that have been put forward seeking the transfer are that the respondent/husband has not been maintaining her and further, she has also filed D.V.C.No.13 of 2018 before the Magistrate Court, Bodinayakanur.

3. Considering the fact that in the divorce proceedings filed by the respondent, her presence for every hearing is imperative and also considering the fact that she is totally dependant on her parents for her day-to-day expenses since the respondent/husband is not maintaining her, this Court is of the view that it will not only cause financial difficulty, but also cause physical strain to travel all the way to Karur to attend every hearing in the said proceedings.

4. I find considerable force in the reasons set out by the petitioner. Therefore, I am inclined to issue the following direction:

<https://hcservices.ecourts.gov.in/hcservices/>



i) The learned Judge, Family Court, Karur, is directed to transmit the entire records in I.D.O.P.No.3 of 2018 to the file of the learned Judge, Family Court, Theni, within a period of two weeks from the date of receipt of a copy of this order.

ii) the learned Judge, Family Court, Theni, after obtaining the records on transfer, is directed to dispose of I.D.O.P.No.3 of 2018 as expeditiously as possible in accordance with law.

5. In the result, this transfer civil miscellaneous petition is allowed as prayed for. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

pm

To,

1.The Judge, Family Court, Karur.

2.The Judge, Family Court, Theni.

+1 CC to Mr.R.SURIYANARAYANAN, Advocate (SR-98971[F] dated 18/11/2019)

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VB(11.12.2019) 2P 4C