



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.411 of 2017

and

C.M.P. (MD) No.8279 of 2017

Meena @ Meenakshi

... Petitioner/Respondent

Vs.

Maruthupandi

... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code to withdraw and transfer the H.M.O.P.No.100 of 2017 on the file of the Sub-Court, Uthamapalayam to the Family Court, Madurai.

For Petitioner : No Appearance

For Respondent : No Appearance

ORDER

It is unfortunate that the learned counsel, who entered appearance for the petitioner is not present when the matter is called. Though the respondent is served and his name is printed in the cause-list, none appeared on behalf of the respondent.

2. However, this Transfer Civil Miscellaneous Petition is filed by the petitioner/wife seeking transfer of the case in H.M.O.P.No.100 of 2017 filed by the respondent husband for divorce, on the file of the Sub-Court, Uthamapalayam to the file of the Family Court, Madurai.

3. The petitioner has sought for a transfer on the ground that Uthamapalayam being the home town for her husband, when she attended the hearing on 22.08.2017, she was heckled and threatened by the respondent/husband's henchmen, who demanded her to give divorce to the respondent on the next hearing. That apart, the petitioner is not being maintained by her husband and her father, who is working as a Sweeper in a private shop, is not able to travel along with her to attend the hearing and the travelling expenses are also heavy for her.



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

i) The learned Subordinate Judge, Uthamapalayam, is directed to transmit the entire records in H.M.O.P.No.100 of 2017 to the file of the learned Judge, Family Court, Madurai, within a period of two weeks from the date of receipt of a copy of this order.

ii) the learned Judge, Family Court, Madurai, after obtaining the records on transfer, is directed to dispose of H.M.O.P.No.100 of 2017 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 (Crl.Side)

// True Copy //

Sub Assistant Registrar(CS)

pm

To,

1.The Subordiante Judge, Uthamapalayam

2.The Judge, Family Court, Madurai.

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