



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.02.2020

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WEB COPY

THE HON'BLE MR.JUSTICE R.SUBRAMANIAN

Tr.C.M.P(MD)No.27 of 2020

and

C.M.P(MD) No.552 of 2020

Jayasurya

... Petitioner/Respondent

-Vs-

Lawrence Sagayaraj

... Respondent/Petitioner

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw and transfer the case in I.D.O.P.No.5127 of 2019 on the file of the Principal Judge, Family Court, Chennai to the Family Court at Ramanathapuram.

For Petitioner : Mr.H.Velavadhas
For Respondent : Mr.Sathiaraj

O R D E R

The petitioner/wife, who is facing the proceedings for divorce under Section 10(1)(x) of the Indian Divorce Act in I.D.O.P.No.5127 of 2019, on the file of the Principal Judge, Family Court, Chennai at the instance of the husband, seeks transfer of the same to the Family Court, Ramanathapuram. The transfer is sought for solely on the ground of convenience since the wife is a resident of Orikottai in Ramanathapuram District.

2. The learned counsel for the respondent/husband would submit that I.D.O.P.No.5127 of 2019 may be transferred to any other Court other than the Family Court as his presence will be required for every hearing and day-to-day life will become miserable for him if he is travel from Chennai to Ramanathapuram for every hearing.

3. Considering the averments made in the application and the apprehension expressed by the husband, I am of the considered opinion that the I.D.O.P.No.5127 of 2019 could be transferred to Principal District Court, Ramanathapuram.



4. In view of the same, the Transfer Civil Miscellaneous Petition is allowed and the proceedings in I.D.O.P.No.5127 of 2019 is withdrawn from the file of the Principal Judge, Family Court, Chennai and transferred to the file of the Principal District Court, Ramanathapuram to be tried and disposed of in accordance with law. The Principal Judge, Family Court, Chennai is directed to transmit the papers in I.D.O.P.No.5127 of 2019 to the Principal District Court, Ramanathapuram, forthwith. However, there will be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Writs)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1. The Principal Judge, Family Court,
Chennai.
2. The Principal District Court,
Ramanathapuram.
3. The Record Keeper, V.R.Section,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.H.VELAVADHAS, Advocate (SR-8295[F] dated 26/02/2020)

Tr.C.M.P(MD)No.27 of 2020

25.02.2020

db(CO)

TR(12.03.2020)2P 5C