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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 02.03.2020

CORAM

THE HONOURABLE Mrs. JUSTICE R.THARANI

TR C.M.P (MD) No.56 of 2020

and

C.M.P(MD) No.1009 of 2020

Sabinabegum

.... Petitioner/Defendant No.1

-Vs-

B.Sheik Ahamed Kabir

... Respondent / Plaintiff

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw the O.S.No.44 of 2019 pending on the file of the Family Court, Madurai and to transfer the same to the Family Court, Dindigul.

For Petitioner : Mr.D.S.Haroon Rasheed
For Respondent : Mr.S.M.A.Jinah

O R D E R

The above Transfer Civil Miscellaneous petition has been filed seeking to transfer of O.S.No.44 of 2019 pending on the file of the Family Court, Madurai to the Family Court, Dindigul.

2.On the side of the petitioner, it is stated that the petitioner is residing in Dindigul. The respondent/husband has filed O.S.No.44 of 2019 pending on the file of the Family Court, Madurai, seeking for dissolution of marriage. It is also stated that she has to take care of her two children, who are studying in Dindigul and she could not leave her children alone to attend the proceedings in the Family Court, Madurai and prayed the case to be transferred to Family Court, Dindigul.

3.The submissions made by the respondent are not acceptable.

4.No prejudice will be caused to the respondent on transferring the case to Family Court, Dindigul. The reasons stated by the petitioner are satisfactory. Hence, O.S.No.44 of 2019 pending on the file of the Family Court, Madurai, is withdrawn and transferred to Family Court, Dindigul. The learned Judge, Family Court, Madurai, is directed to transmit the entire records in O.S.No.44 of 2019 to the Family Court, Dindigul. The learned Judge, Family Court, Dindigul, is hereby directed to issue fresh summon to the respondent after the case is transferred and renumbered.



5. With the above directions, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (P&A)

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Sub Assistant Registrar(CS)

CP

To

1. The Judge,
Family Court,
Madurai.

2. The Judge,
Family Court,
Dindigul.

+1 CC to M/s.S.M.A.JINNAH, Advocate (SR-9795[F] dated 03/03/2020)

+1 CC to M/s.D.HAROON RAHEED, Advocate (SR-9934[F] dated 03/03/2020)

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SMA/13/03/2020/2P/5C