



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Tr.C.M.P. (MD) No.84 of 2020

and

C.M.P. (MD) No.1710 of 2020

Ramesh ... Petitioner / Respondent

-vs-

Ramya ... Respondent/ Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure to withdraw the case in H.M.O.P.No.283 of 2019 on the file of the Principal Subordinate Court, Kumbakonam and transfer the same to the file of the Subordinate Court, Thuraiyur.

For Petitioner : Mrs.S.Prabha
for Mr.K.Arunraj

For Respondent : Mr.G.Gomathi Shankar

O R D E R

The present Transfer Civil Miscellaneous Petition is filed for transfer of H.M.O.P.No.283 of 2019 now pending on the file of the Principal Subordinate Court, Kumbakonam to the file of the Subordinate Court, Thuraiyur.

2. This case is between two specially-abled persons, who sadly chose to litigate on the failed matrimony. The respondent is the wife of the petitioner. She has filed H.M.O.P.No.283 of 2019 before the Principal Subordinate Court, Kumbakonam for dissolution of marriage.

3. The learned counsel for the petitioner submits that the petitioner is physically challenged and he cannot walk.

4. The learned counsel for the respondent would submit that the respondent suffers from 50% visual impediment. It is difficult for



her to travel. He added that the petitioner is working in Musiri. The Google says Musiri is 27 kilometers from Thuraiyur and Kumbakonam is about 120 kilometers from Thuraiyur.

5. Taking note of the given fact that both the parties herein suffers from some kind of physical disability and the distance of Thuraiyur and Kumbakonam, this Court chooses to transfer H.M.O.P.No.283 of 2019 to the file of the Judicial Magistrate Court, Thanjavur.

4. In fine, this Transfer Civil Miscellaneous Petition is allowed. Accordingly, H.M.O.P.No.283 of 2019, now pending on the file of the Principal Subordinate Court, Kumbakonam is directed to be withdrawn from the said Court and transferred to the file of the Judicial Magistrate Court, Thanjavur for disposal as per law. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To:

1. The Principal Subordinate Judge, Kumbakonam.
2. The Judicial Magistrate, Thanjavur.

Order made in

Tr.C.M.P. (MD) No.84 of 2020

and

C.M.P. (MD) No.1710 of 2020

Dated:30.07.2020

ta/cm

SDS (14.08.2020) 2P-3C