



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Dated: 11.03.2020
CORAM

THE HONOURABLE Mrs. JUSTICE R.THARANI

TR C.M.P (MD) No.98 of 2019
and
C.M.P(MD) No.2228 of 2019

N.Anitha ... Petitioner
-Vs-
Arivalagan ... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 r/w.151 of Civil Procedure Code, to withdraw the case on the file of the Sub Court, Pattukkottai in H.M.O.P.No.94 of 2018 and transfer the same to the Subordinate Judge, Devakottai.

For Petitioner : Mr.S.Madhavan
For Respondent : Mr.D.R.Murugesan

O R D E R

This Transfer Civil Miscellaneous Petition is filed seeking to withdraw the case on the file of the Subordinate Judge, Pattukkottai in H.M.O.P.No.94 of 2018 and to transfer the same to the Subordinate Judge, Devakottai.

2. On the side of the petitioner, it is stated that the petitioner/ wife is now residing at Devakottai. She has to take care of her two children. The husband has filed a petition in H.M.O.P.No.94 of 2018 pending before the Subordinate Judge, Pattukkottai, seeking for divorce and prayed the case to be transferred to the Subordinate Judge, Devakottai.

3. On the side of the respondent, it is stated that all the relatives, of the petitioner / wife, are residing at Devakottai and the respondent / husband will be put into trouble, if the respondent / husband attend the Court at Devakottai and hence objected to transfer of the petition.

4. The petitioner/ wife being a lady, has to take care of her two children and the jurisdiction lies in her place of residence. No prejudice will be caused to the respondent / husband. Hence, in the interest of justice, the case pending before the Subordinate Judge, Pattukkottai, in H.M.O.P.No.94 of 2018 is withdrawn and is transferred to the Subordinate Judge, Devakottai.



5. The Subordinate Judge, Pattukkottai, is directed to transmit the entire records in H.M.O.P.No.94 of 2018, to the Subordinate Judge, Devakottai.

6. The Subordinate Judge, Devakottai, is hereby directed to issue notice to the respondent, after the case is renumbered.

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

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

Ls

To

1. The Subordinate Judge,
Pattukkottai,

2. The Subordinate Judge,
Devakottai.

+1 CC to Mr.S.MADHAVAN, Advocate (SR-11415[F] dated 12/03/2020)

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MK (23.03.2020) 2P 4C