



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.11.2020

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE R.MAHADEVAN

Tr.C.M.P (MD) No.226 of 2020

and

C.M.P(MD) No.5076 of 2020

C.Jothijanani

... Petitioner/Respondent

-Vs-

M.Maya Senthil Salaikumar

... Respondent/Petitioner

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to pass appropriate orders by withdrawing Family Court, Tirunelveli in H.M.O.P.No.311/2019 and to transfer the same to the Family Court, Theni District (or) any other competent Court within the limits of Theni District.

For Petitioner : Mr.M.Ponniah

For Respondent : No Appearance

O R D E R

The petitioner/wife, who is facing the proceedings for dissolving the marriage at the instance of the husband in H.M.O.P.No.311 of 2019, on the file of the Family Court, Tirunelveli, seeks transfer of the same to the Family Court at Theni District.

2. Though notice was served on the respondent and his name was also printed in the cause title, none appeared on behalf of the respondent either in person or through counsel.

3. Admittedly, the wife resides at Theni district and transfer is sought for mainly on the ground of convenience.

4. Considering the convenience of the wife, H.M.O.P.No.311 of 2019, on the file of the Family Court, Tirunelveli, can be transferred to the Family Court, Theni District.



5. In view of the above, this Transfer Civil Miscellaneous Petition is allowed and the proceedings in H.M.O.P.No.311 of 2019 is withdrawn from the file of the Family Court, Tirunelveli and transferred to Family Court, Theni District. The learned Judge, Family Court, Tirunelveli, is directed to transmit the papers to the Family Court, Theni District, forthwith.

6. The learned Judge, Family Court, Theni District, is directed to dispose of the proceedings in H.M.O.P.No.311 of 2019, within a period of six months from the date of receipt of the papers from the Family Court, Tirunelveli, after due notice and opportunity to both parties. However, there will be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

pkn/ps

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Judge, Family Court, Tirunelveli.

2. The Judge, Family Court, Theni.

Copy to

The Record Keeper, V.R.Section,

Madurai Bench of Madras High Court, Madurai(2 copies).

Tr.C.M.P(MD)No.226 of 2020

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PK(CO)

TR(23.11.2020) 2P 5C