



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 12.03.2020

CORAM

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THE HONOURABLE Mrs. JUSTICE R.THARANI

TR C.M.P (MD) No.457 of 2019
and
C.M.P(MD) No.10431 of 2019

Chola Ranjani Petitioner / Respondent

-Vs-

S.Vijayakumar ... Respondent / Petitioner

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to transfer the case in H.M.O.P.No.199 of 2019 on the file of the learned Family Court, Dindigul, to the file of the learned Family Judge, Namakkal.

For Petitioner : Mr.J.Selvam
For Respondent : Mr.K.Vidya

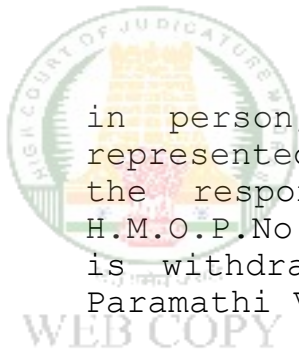
O R D E R

This Transfer Civil Miscellaneous Petition is filed seeking to transfer the case in H.M.O.P.No.199 of 2019 on the file of the Family Court, Dindigul, to the file of the Family Court, Namakkal.

2. On the side of the petitioner, it is stated that the petitioner / wife is residing at Paramathi Vellore, Namakkal District and she has to travel about 250 K.m. up and down, to attend the Court hearings at Dindigul. The respondent/ husband filed a divorce petition in H.M.O.P.No.199 of 2019 pending before the Family Court, Dindigul and prayed that the same to be transferred to the Sub Court, Paramathi Vellore, Namakkal District.

3. On the side of the respondent, it is stated that the respondent / husband is ready to pay the cost for the petitioner / wife, to attend the Court at Dindigul and the respondent / husband is taking care of his two children, and the petitioner / wife has left the four days old new born female child and there is no necessity to transfer the case to Paramathi Vellore and there is a life threat for the respondent / husband to attend the Court at Paramathi Vellore.

4. In Sub Court, there is no necessity for the parties to be present on every hearing date and the parties can attend the Court



in person, whenever necessary, otherwise, the parties may be represented through their counsel. No prejudice will be caused to the respondent / husband in transferring the case. Hence, H.M.O.P.No.199 of 2019, pending before the Family Court, Dindigul, is withdrawn and the same is transferred to the Sub Court, Paramathi Vellore.

6. The Family Court, Dindigul, is directed to transmit the entire records in H.M.O.P.No.41 of 2017, to the file of the Subordinate Judge, Paramathi Vellore, Namakkal District.

7. The Subordinate Judge, Paramathi Vellore, Namakkal District, is hereby directed to issue fresh summon to the respondent / husband after the case is transferred and renumbered.

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

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020
Sub Assistant Registrar(CS)

To

1.The Judge,
Family Court,
Dindigul.

2 The Subordinate Judge,
Paramathi Vellore,
Namakkal District.

+1 CC to M/s.J.LAWRENCE, Advocate (SR-11488[F] dated 13/03/2020)

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SDS (30.06.2020) 2P-4C