



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.01.2020

CORAM :

THE HONOURABLE MR.JUSTICE **R.SUBRAMANIAN**

Tr.C.M.P(MD)No.508 of 2019

and

C.M.P. (MD) No.1744 of 2019

M.Lixumi @ Lakshmi

... Petitioner/Respondent

Vs.

A.Senthilpandiyarajan

... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code to withdraw the H.M.O.P.No.879 of 2018 on the file of the Family Court, Madurai and transfer the same to Subordinate Court, Tuticorin.

For Petitioner : Mr.K.M.Manoj Kumar

For Respondent : Mr.M.Rajaguru

J U D G M E N T

The wife, who is facing proceedings for divorce under Section 13(1) (i-a) of the Hindu Marriage Act, has come up with this Transfer Civil Miscellaneous Petition seeking transfer of H.M.O.P.No. 879 of 2018 on the file of the Family Court, Madurai, to the file of the Subordinate Court, Tuticorin.

2.The wife is admittedly a resident of Tuticorin and she is looking after her male child aged 2 ½ years. Claiming that it is highly inconvenience for her to conduct the proceedings in the Family Court, Madurai, as the Family Court requires the presence of the parties for every hearing, the wife has come up with this petition for transfer.

3. Considering the convenience of the wife and the fact that she has to take care of her minor child aged 2 ½ years, I am of the considered opinion that it will be in the interest of justice to transfer the proceedings to the file of the Subordinate Court, Tuticorin. No substantial inconvenience would be caused to the husband since the presence of the parties for every hearing is not necessary before the Subordinate Court,Tuticorin.



4. In view of the above, this Transfer Civil Miscellaneous Petition is allowed. The proceedings in H.M.O.P.No.879 of 2018 is withdrawn from the file of the Family Court, Madurai, and transferred to the file of the Subordinate Court, Tuticorin to be disposed in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (w)

// True Copy //

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Sub Assistant Registrar(CS)

CM

To,

1.The Family Court, Madurai

2.The Subordinate Court, Tuticorin.

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