



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.01.2020

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBRAMANIAN

TR.C.M.P.(MD) No.504 of 2019

and

C.M.P.(MD) No.11693 of 2019

Sangameshwai @ Sathya

... Petitioner

vs.

Y.Arunkumar

... Respondent

PRAYER: This Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw H.M.O.P.No.113 of 2018 on the file of the Sub Court, Arni, Thiruvannamalai District and transfer the same to the file of the Family Court, Trichy.

For Petitioner : Mr.T.Lenin Kumar

ORDER

The petitioner / wife, who is facing proceedings for divorce under Section 13 i(a) i(b) of the Hindu Marriage Act in H.M.O.P.No.113 of 2018 on the file of the Sub Court, Arni, Thiruvannamalai District seeks transfer of the same to the Family Court, Trichy.

2. Transfer is sought for solely on the ground of convenience of the wife as the distance between Trichy to Arni is more than about 300 kilometers. The husband / respondent though served, has not chosen to appear either in person or through counsel duly instructed.

3. Considering the averments made in the affidavit filed in support of this petition, H.M.O.P.No.113 of 2018 is withdrawn from the file of the Sub Court, Arani and transferred to the Principal Sub Court, Trichy to be disposed of in accordance with law. The transfer to the Sub Court is made keeping in mind the requirement of the litigant to appear for every hearing before the Family Court, which will cause considerable hardship to the respondent / husband. The Sub Court, Arni, Thiruvannamalai District is directed to transmit the papers to the Principal Sub Court, Trichy forthwith.



4. Accordingly, this transfer petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

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/ /2020

Sub Assistant Registrar(CS)

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To

1.The Sub Court, Arni,
Thiruvannamalai District.

2. The Principal Sub Court, Trichy

+1 CC to Mr.T.LENIN KUMAR, Advocate (SR-2451[F] dated 22/01/2020)

TR.C.M.P. (MD) No.504 of 2019

22.01.2020

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