



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2020

CORAM:

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THE HONOURABLE MR. JUSTICE R.SUBRAMANIAN

TR.C.M.P. (MD) No.483 of 2019

and

C.M.P(MD)No.11329 of 2018

R.Pavithra ... Petitioner/Respondent
vs.

S.Thiyagarajan ... Respondent/Petitioner

PRAYER: This Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw H.M.O.P.No.226 of 2019 on the file of the Sub Court, Thoothukudi and transfer the same to the Family Court, Trichy.

For Petitioner : Mr.S.Pon Senthil Kumaran

For Respondent : Mr.R.Santhanam

ORDER

The wife, who is facing proceedings for divorce under Section 13 (1) (i-a) (i-b) of the Hindu Marriage Act before the Sub Court, Tuticorin seeks transfer of the said proceedings to the Family Court, Trichy claiming that she is residing with her parents and she is to take care of her one year old child and therefore, it will be inconvenient for her to travel to Tuticorin to defend the divorce proceedings.

2. The husband is admittedly a resident of Tuticorin. Considering the fact that if the proceedings are transferred to the Family Court at Trichy, the husband will be forced to appear for every hearing and it will undoubtedly cause more inconvenience to him, I am of the considered opinion that the proceedings in H.M.O.P.No.226 of 2019 can be transferred to the Principal Sub Court, Trichy, so that inconvenience to both the parties can be avoided.

3. Hence, this transfer petition is allowed and the proceedings in H.M.O.P.226 of 2019 pending on the file of the Sub Court, Tuticorin is withdrawn and transferred to the file of the Principal Sub Court, Trichy to be tried and disposed of in accordance with law. The Sub Court Tuticorin is directed to



transmit the papers to the Principal Sub Court, Trichy forthwith. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

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Sub Assistant Registrar(CS)

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To

1.The Subordinate Judge, Tuticorin.

2.The Principal Subordinate Judge, Trichy.

+1 CC to M/s.S.PON SENTHIL KUMARAN, Advocate (SR-1013[F] dated 09/01/2020)

+1 CC to M/s.R.SANTHANAM, Advocate (SR-1086[F] dated 09/01/2020)

TR.C.M.P. (MD) No.483 of 2019

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JMN(13.01.2020) 2P : 5C