



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **09.01.2020**
CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

Tr.C.M.P. (MD)No.517 of 2019
and
C.M.P. (MD)No.11935 of 2019

G.Sattanathan @ Sankar

... Petitioner / Respondent

Vs.

N.Rajeswari @ Deepa

... Respondent / Petitioner

PRAYER: This Petition is filed under Section 24 of Civil Procedure Code, to withdraw H.M.O.P.No.815 of 2019 on the file of the Family Court, Madurai and to transfer the same to the Family Court, Tirunelveli.

For Petitioner : Mr.M.Masuttu Ali
For Respondent : No Appearance

O R D E R

Despite service of notice, the respondent is not appearing either in person or through counsel, duly instructed.

2.The petitioner / husband, who is facing proceedings for divorce under Section 13(1)(i-a) of the Hindu Marriage Act, has come up with this application seeking transfer of H.M.O.P.No.815 of 2019 pending on the file of the Family Court, Madurai to Family Court, Tirunelveli. According to the petitioner, he is a permanent resident of Tirunelveli and the respondent is also permanent resident of Tirunelveli. She had filed the H.M.O.P. before the Family Court, Madurai, showing a temporary address. It is also claimed that the respondent / wife is now working as a Professor at Sara Tucker College, Perumalpuram, Tirunelveli. Notice sent to her in this transfer petition has been served on her at the above address viz., Sara Tucker College, Perumalpuram, Tirunelveli.

3.Considering the fact that the respondent is also working at Tirunelveli, I do not think that the respondent will be prejudiced by transferring H.M.O.P.No.815 of 2019 to the Family Court, Tirunelveli, to be disposed of in accordance with law. Hence, this Transfer Civil Miscellaneous Petition is allowed. H.M.O.P.No.815 of 2019 is withdrawn from the file of the Family Court, Madurai and transferred to the Family Court, Tirunelveli. The Family Court, Madurai is directed to forward the records in H.M.O.P.No.815 of 2019



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to the Family Court, Tirunelveli, forthwith. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

- 1.The Judge, Family Court, Madurai.
- 2.The Judge, Family Court, Tirunelveli.

+3 CC to Mr.M.MASUTTU ALI, Advocate (SR-1080[F] dated 09/01/2020)

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MK (30.01.2020) 2P 6C