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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

TR.C.M.P.NO.200 OF 2021

[Through video conferencing]

Devi Karuna

... Petitioner

-vs-

Shanmuga Anand

... Respondent

PRAYER:-

Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw H.M.O.P.No.52 of 2020 on the file of the Sub-Court, Tiruchendur and transfer the same to the file of the Family Court, Karaikal.

For Petitioner : Mr.S.Sriram

For Respondent : Ms.S.Vanmathi

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw H.M.O.P.No.52 of 2020 on the file of the Sub-Court, Tiruchendur and transfer the same to the file of the Family Court, Karaikal.

2.The respondent/husband has filed H.M.O.P.No.52 of 2020 before the Sub Court at Tiruchendur for divorce. The petitioner/wife has filed M.C.No.22 of 2020 before the Judicial Magistrate Court at Karaikal.

3.The learned counsel for the petitioner/wife submitted that the petitioner is residing with her parents home at Karaikal. The distance between Karaikal and Tiruchendur is around 200 Kms. Since, she is being a lady studying in B.Tech Degree, she is not in a position to travel alone from Karaikal to Tiruchendur for attending the Court on every hearings in H.M.O.P.No.52 of 2020. The learned counsel further submitted that if the matter may be referred to mediation center, there is every possibility to



settle the issues amicably between the parties themselves. Therefore, on the ground of convenience, she seeks to transfer the case from Tiruchendur to Karaikal.

4.The learned counsel for the respondent/husband has no objection for transferring of the case from the file of the Sub Court, Tiruchendur to the file of the Family Court, Karaikal.

5.Heard the learned counsel on either side and perused the materials available on record.

6.Considering the arguments made by both sides, this Court feels to transfer the case to the file of the Family Court, Karaikal.

7.Accordingly, H.M.O.P.No.52 of 2020 is withdrawn from the file of the Sub Court, Tiruchendur and transferred to the file of the Family Court, Karaikal, for disposal as per law. The learned Sub Judge, Tiruchendur is directed to transmit the papers to the file of the Family Court, Karaikal, forthwith. The learned Family Judge at Karaikal is directed to refer the matter to the mediation center and if mediation fails, then the learned Family Judge, Karaikal is directed to dispose of the case in H.M.O.P.No.52 of 2020 on merits and in accordance with law as expeditiously as possible.

8.In fine, this Transfer Civil Miscellaneous Petition is allowed. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

ssi

To

1. The Judge,
The Sub Court, Tiruchendur.

2. The Judge,
The Family Court, Karaikal.

+1cc to Mr.K.Govi Ganesan, Advocate, S.R.No.43464

TR.C.M.P.NO.200 OF 2021

NR(CO)
PBS(17/09/2021)