



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.02.2021

CORAM

THE HON'BLE MR.JUSTICE R.SUBRAMANIAN

Tr.C.M.P (MD)No.16 of 2021
and
C.M.P (MD) No.337 of 2021

Deivadharshini @ Alagumeenal ... Petitioner/Respondent

-Vs-

Karthik ... Respondent /Petitioner

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw the case in H.M.O.P.No.90 of 2020, pending before the Sub Court, Manaparai and transfer the same to the file of Principal Sub Court, Madurai.

For Petitioner : Mr.N.Pragalathan
For Respondent : Mr.R.Alagia Nambi

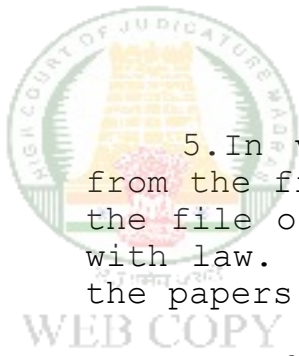
O R D E R

The wife, who is facing proceedings under Section 13(1)(i-a) of Hindu Marriage Act in H.M.O.P.No.90 of 2020, seeks transfer of the same to the Principal Subordinate Court, Madurai.

2.Transfer is sought for mainly on the ground of convenience since the wife is a resident of Madurai City.

3.The request is resisted by the husband, contending that he is employed at Coimbatore and transfer to Madurai, would make it difficult for him to attend the Court proceedings. The learned counsel for the husband would also submit that his life will be in danger, if he is to attend the Court at Madurai, which is the native place of the wife.

4.Considering the convenience of both the parties and the apprehension expressed by the learned counsel for the husband, I am of the opinion that H.M.O.P.No.90 of 2020 could be transferred to the neutral venue, namely, the Subordinate Court, Melur, where the presence of the parties is not required for every hearing. The parties can also conduct the proceedings in a conducive atmosphere.



5.In view of the above, H.M.O.P.No.90 of 2020 is withdrawn from the file of the Subordinate Court, Manaparai and transferred to the file of the Subordinate Court, Melur, to be tried in accordance with law. The Subordinate Court, Manaparai is directed to transmit the papers to the Subordinate Court, Melur, forthwith.

6.Accordingly, this Transfer Civil Miscellaneous Petition is disposed of. However, there will be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CRL SIDE)

// True Copy //

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Sub Assistant Registrar(CS)

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To

- 1.The Subordinate Court, Manaparai
- 2.The Subordinate Court, Melur
- 3.The Record Keeper, V.R.Section,
Madurai Bench of Madras High Court,
Madurai.(2 copies)

+1 CC to Mr.R.ALAGIA NAMBI, Advocate (SR-5574[F] dated 17/02/2021)

+1 CC to Mr.N.PRAGALATHAN, Advocate (SR-5844[F] dated 18/02/2021)

Order made in
Tr.C.M.P (MD) No.16 of 2021
and
C.M.P (MD) No.337 of 2021
17.02.2021

VB (04.03.2021) 2P 7C