



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :17.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P. (MD) No.141 of 2021

and

C.M.P. (MD) No.2661 of 2021

WEB COPY

Maheswari ... Petitioner/Respondent
-vs-
B.Karthick ... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the H.M.O.P.No.772 of 2020 pending on the file of the Family Court, Madurai and transfer the same to the file of the Family Court or any other competent court, Tiruchirapalli.

For Petitioner : Mr.R.Alagumani
For Respondent : No appearance

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw H.M.O.P.No.772 of 2020 pending on the file of the Family Court, Madurai and transfer the same to the file of the Family Court or any other competent court, Tiruchirapalli.

2.The respondent/ husband has filed H.M.O.P.No.772 of 2020 before the Family Court, Madurai, for divorce.

3. The learned counsel for the petitioner submitted that the petitioner is having two child and she is depending on her aged parents and she has no source of income. Apart from this, the distance between Trichy and Madurai is 150 kms. In such circumstances, the petitioner could not able to travel from Trichy to Madurai for attending every hearing in H.M.O.P.No.772 of 2020 on the file of the Family Court, Madurai.

4.Though the name of the respondent is printed in the cause list, the respondent has not chosen to appear either in person or through counsel duly instructed.

5. This Court considered the arguments made by the learned counsel for the petitioner.

6. This Court is satisfied with the reasons stated in the affidavit filed in support of this petition.

7. Considering the facts and circumstances of the case and also considering the submissions made by the learned counsel for the



petitioner, H.M.O.P.No.772 of 2020 is withdrawn from the file of the Family Court, Madurai and transferred to the file of the Family Court, Tiruchirappalli for disposal as per law. The Judge, Family Court, Madurai, is directed to transmit the papers to the Family Court, Tiruchirappalli forthwith. The Judge, Family Court, Tiruchirappalli is directed to dispose H.M.O.P.No.772 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. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

To:

1. The Judge
Family Court, Madurai .

2. The Judge, Family Court
Tiruchirappalli.

+1 CC to M/s.R.ALAGUMANI, Advocate (SR-2180[I] dated 17/03/2021)

Tr.C.M.P. (MD) No.141 of 2021

and

C.M.P. (MD) No.2661 of 2021

Dated:

17.06.2021

KB (25.06.2021) 2P 4C