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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P. (MD) No.46 of 2021

and

C.M.P. (MD) No.965 of 2021

M.Kanagalakshmi ... Petitioner/Respondent

-vs-

K.Balakumar @ Saravanan ... Respondent/Petitioner

**PRAYER:** Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw H.M.O.P.No.6 of 2020 on the file of the Sub Court, Aruppukkottai and transfer the same to Sub Court, Kovilpatti, for further enquiry.

For Petitioner : Mr.B.Rajesh Saravanan

For Respondent : Mr.K.Neelamegam

**O R D E R**

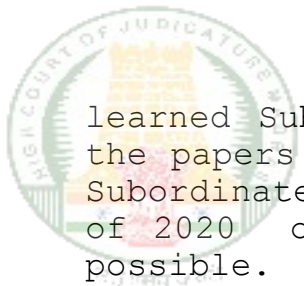
The present Transfer Civil Miscellaneous Petition is filed to withdraw H.M.O.P.No.6 of 2020 on the file of the Sub Court, Aruppukkottai and transfer the same to Sub Court, Kovilpatti, for further enquiry.

2.The respondent has filed H.M.O.P.No.6 of 2020 before the Sub Court, Aruppukkottai, for divorce.

3. The learned counsel for the petitioner/wife submitted that the petitioner is working as Nurse at Aravind Eye Hospital at Sattur and she is earning meager income and also taking care of her father, who is a heart patient. The distance between Kovilpatti and Virudhunagar District is nearly 60 kms. In this circumstance, it is difficult for the petitioner to travel from Kovilpatti and Virudhunagar District, for attending every hearing in H.M.O.P.No.6 of 2020. Hence, the petitioner seeks to transfer the case to Kovilpatti.

4. The learned counsel appearing for the respondent has strongly opposed to transfer the case, since the distance between Kovilpatti and Virudhunagar is minimal.

5. Considering the facts and circumstances of the case and considering the submission made by both sides, H.M.O.P.No.6 of 2020 is withdrawn from the Sub Court, Aruppukkottai and transferred to the file of Sub Court, Kovilpatti, for disposal as per law. The



learned Subordinate Judge, Aruppukkottai, is directed to transmit the papers to the file of the Sub Court, Kovilpatti, forthwith. The Subordinate Judge, Kovilpatti, is directed to dispose H.M.O.P.No.6 of 2020 on merits and in accordance with law as expeditiously as possible.

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6.In fine, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

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Sub Assistant Registrar(CS)

msa/cp

To:

- 1.The Subordinate Judge, Aruppukkottai.
- 2.The Subordinate Judge, Kovilpatti.

Order made in

**Tr.C.M.P. (MD) No.46 of 2021**  
**and**

**C.M.P. (MD) No.965 of 2021**

Dated: 30.06.2021

DKS (CO)

TR(13.07.2021) 2P 3C