



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :19.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P. (MD) No.44 of 2021

and

C.M.P. (MD) No.947 of 2021

WEB COPY

R.Vasanthi

... Petitioner

-vs-

T.Madhan Prakash

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the case in O.P.No.999 of 2020 on the file of the Family Court, Thiruppur and Transfer the same to the learned Family Court, Kanyakumari District at Nagercoil.

For Petitioner : Mr.M.Suri

For Respondent : No appearance

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw the case in O.P.No.999 of 2020 on the file of the Family Court, Thiruppur and Transfer the same to the learned Family Court, Kanyakumari District at Nagercoil.

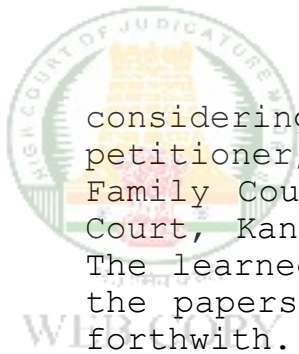
2.The respondent/ husband has filed O.P.No.999 of 2020 before the Family Court, Thiruppur, for dissolution of marriage.

3.The learned counsel for the petitioner/wife submitted that the respondent's father is an influential person in that locality and the petitioner apprehends life threat at the hands of the respondent. The distance between Kanyakumari and Thiruppur is nearly 500 kms. Therefore, he seeks to transfer the case in O.P.No.999 of 2020 to the file of Family Court, Kanyakumari District at Nagercoil.

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

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

6.Considering the facts and circumstances of the case and also



considering the submissions made by the learned counsel for the petitioner, O.P.No.999 of 2020 is withdrawn from the file of the Family Court, Thiruppur and transferred to the file of the Family Court, Kanyakumari District at Nagercoil, for disposal as per law. The learned Judge, Family Court, Thiruppur, is directed to transmit the papers to the Family Court, Kanyakumari District at Nagercoil, forthwith. The learned Judge, Family Court, Kanyakumari District at Nagercoil, is directed to dispose of the proceedings in O.P.No.999 of 2020 on merits and in accordance with law as expeditiously as possible.

7.The personal appearance of both parties before the Family Court, Kanyakumari District at Nagercoil, is dispensed with, except the dates of hearing, on which, the learned Judge insisted upon the parties to appear before the Court. On other hearing dates, the counsel on behalf of the parties may appear before the court.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

msa/cp

To:-

1. The Judge, Family Court, Thiruppur.

2.The Judge, Family Court, Kanyakumari District at Nagercoil.

+1 CC to M/s.M.SURI, Advocate (SR-23046[F] dated 19/07/2021)

Tr.C.M.P. (MD) No.44 of 2021

and

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