



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 29.06.2021**

**CORAM:**

**THE HONOURABLE MR. JUSTICE A.A.NAKKIRAN**

**Tr.C.M.P. (MD) No.68 of 2021**

**and**

**C.M.P. (MD) No.1248 of 2021**

WEB COPY

M.Divya

... Petitioner

-vs-

S.Karthick

... Respondent

**PRAYER:** Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceedings pending in H.M.O.P.No.302 of 2020 from the file of Family Court, Dindigul and transfer the same to Family Court, Karur.

For Petitioner : Mr.K.Suresh

For Respondent : Mr.T.Leninkumar

**O R D E R**

The present Transfer Civil Miscellaneous Petition is filed to withdraw the proceedings pending in H.M.O.P.No.302 of 2020 from the file of Family Court, Dindigul and transfer the same to Family Court, Karur.

2.The respondent has filed H.M.O.P.No.302 of 2020 before the Family Court, Dindigul, for divorce.

3. The learned counsel for the petitioner/wife submitted that the petitioner has joined PG Graduation (M.Sc-Mathematic) in the Government Arts College, Karur, in the month of July 2020 and she has no source of income and she is depending on her parents for her day today livelihood. The distance between the Karur to Dindigul is 80 kms. In such circumstances, it is very difficult to travel from Karur to Dindigul for attending every hearing in H.M.O.P.No.302 of 2020 on the file of the Family Court, Dindigul. Hence, the petitioner seeks to transfer the case.

4. The learned counsel appearing for the respondent would submit that the petitioner is not studying in any College and the distance between Karur and Dindigul is minimal and therefore, it is not necessary to transfer the case and he has strongly objected to transfer the case.

5. This Court considered the arguments made by both sides.

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the facts and circumstances of the case and considering the submission made both sides, H.M.O.P.No.302 of 2020 is withdrawn from the Family Court, Dindigul and transferred to the file of Family Court, Karur, for disposal as per law. The Judge, Family Court, Dindigul, is directed to transmit the papers to the file of the Family Court, Karur forthwith. The Judge, Family Court, Karur, is directed to dispose H.M.O.P.No.302 of 2020 on merits and in accordance with law as expeditiously as possible.

8. The personal appearance of both parties before the Family Court, Karur is dispensed with, except on the dates of hearing, on which, the learned Judge insists upon the parties to appear before the Court. On other hearing dates, the counsel on behalf of the parties may appear before the court.

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

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

msa/cp

To:

1.The Judge,  
Family Court, Dindigul.

2.The Judge, Family Court, Karur.

+1 CC to M/s.K.SURESH, Advocate ( SR-20921[F] dated 01/07/2021 )

Tr.C.M.P. (MD) No.68 of 2021

and

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KM(CO)

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