



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P. (MD) No.79 of 2021

and C.M.P. (MD) No.1441 of 2021

WEB COPY

M.Jenitta Jean Christy

... Petitioner/Respondent

Vs.

H.Mathew Joel Arulanandham

... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw and transfer the petition in I.D.O.P.No.80 of 2020 from the file of the learned District Judge, Theni, Theni District to the file of the Family Court, Tiruchirappalli, Tiruchirappalli District.

For Petitioner : Mr.A.Thiruvadi Kumar

For Respondent : Mr.B.Arun

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw the case in I.D.O.P.No.80 of 2020 on the file of the learned District Judge, Theni, Theni District and transfer the same to the file of the Family Court, Tiruchirappalli, Tiruchirappalli District.

2.The learned counsel for the petitioner/wife submits that the respondent/husband has filed I.D.O.P.No.80 of 2020 before the District Judge, Theni for restitution of conjugal rights. It is further submitted that the petitioner is a dependent on her family. In such circumstances, the petitioner could not able to travel to Theni from Thiruchirappalli for attending every hearing in I.D.O.P.No.80 of 2020 on the file of the District Judge, Theni, Theni District.

3. The learned counsel for the respondent has no objection for transferring the case.

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

5. Considering the facts and circumstances of the case and also considering the submissions made by learned counsel for the petitioner, I.D.O.P.No.80 of 2020 is withdrawn from the file of the District Judge, Theni, Theni District and transferred to the file of the Family Court, Thiruchirappalli, Tiruchirappalli District for disposal as per law. The District Judge, Theni, Theni District, is directed to transmit the papers to the Family Court, Tiruchirappalli, Tiruchirappalli forthwith. The Judge, Family Curt, Tiruchirappalli,



Tiruchirappalli District is directed to dispose I.D.O.P.No.80 of 2020 on merits and in accordance with law as expeditiously as possible.

6.This petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

CM/RMK

To:

1.The Principal District Judge,
Theni, Theni District

2.The Judge,
Family Court,
Tiruchirappalli, Tiruchirappalli District

+1 CC to M/s.A.THIRUVADI KUAMR, Advocate (SR-16620[F] dated 20/04/2021)

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