



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

**DATED : 22.04.2021**

**CORAM:**

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

**Tr.C.M.P. (MD) No.99 of 2021**

**and C.M.P. (MD) No.2138 of 2021**

**WEB COPY**

M.Surya

... Petitioner

-vs-

D.Saravanan

... Respondent

**PRAYER:** Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the case in H.M.O.P.No.153 of 2019 pending before the Principal Sub Judge, Srivilliputhur and transfer the same to the Family Court, Tirunelveli.

For Petitioner : Mr.S.Bharathykannan

For Respondent : No appearance

**O R D E R**

The present Transfer Civil Miscellaneous Petition is filed to withdraw the H.M.O.P.No.153 of 2019 on the file of the Principal Sub Judge, Srivilliputhur and transfer the same to the file of the Family Court, Tirunelveli.

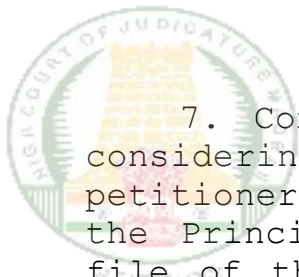
2.The respondent/husband has filed H.M.O.P.No.153 of 2019 before the Principal Sub Judge, Srivilliputhur for divorce.

3. The learned counsel for the petitioner/wife submitted that the petitioner is living with her 6 years old daughter and the distance between Srivilliputhur and Madurai is 150 kms. In such circumstances, it is very difficult to travel from Tirunelveli to Srivilliputhur for attending every hearing in H.M.O.P.No.153 of 2019 on the file of the Principal Sub Judge, Srivilliputhur.

4. Today, when the matter is taken up for hearing, there is no representation on behalf of the respondent either in person or through counsel.

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of the case and considering the submission made by the learned counsel for the petitioner, H.M.O.P.No.153 of 2019 is withdrawn from the file of the Principal Sub Judge, Srivilliputhur, and transferred to the file of the Family Court, Tirunelveli, for disposal as per law. The Principal Sub Judge, Srivilliputhur, is directed to transmit the papers to the file of the Family Court, Tirunelveli, forthwith. The Judge, Family Court, Tirunelveli, is directed to dispose H.M.O.P.No.153 of 2019 on merits and in accordance with law as expeditiously as possible.

8. In fine, this petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

msa/CM

To:

1. The Principal Sub Judge,  
Srivilliputhur
2. The Judge,  
Family Court,  
Tirunelveli.

Order made in

**Tr.C.M.P. (MD) No.99 of 2021**  
**and C.M.P. (MD) No.2138 of 2021**

**22.04.2021**

VB (30/04/2021) 2P / 3C