



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :29.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P. (MD) No.88 of 2021

and C.M.P (MD)No.1879 of 2021

WEB COPY

Malarvizhi

... Petitioner/Respondent

-vs-

Karthik

... Respondent/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.352 of 2020 on the file of the Family Court, Theni, Theni District to the file of the Family Court, Trichy, Trichy District.

For Petitioner : Mr.M.Pitchai Muthur

For Respondent : No Appearance

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw O.P.No.352 of 2020 on the file of the Family Court, Theni, Theni District and transfer the same to the file of the Family Court, Trichy, Trichy District.

2.The respondent has filed O.P.No.352 of 2020 before the Family Court, Theni, Theni District for restitution of conjugal rights.

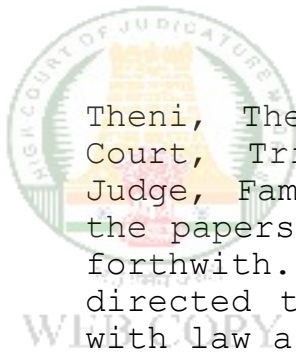
3. The learned counsel for the petitioner/wife submitted that the petitioner is having a tender child and nobody to assist the petitioner to attend the hearing in O.P.No.352 of 2020. The distance between Trichy to Theni is nearly 185 kms. Hence, the petitioner prays for transfer of O.P.No.352 of 2020 from the file of the Family Court, Theni, Theni District to the file of the Family Court, Trichy, Trichy District.

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of the case and considering the submission made by the learned counsel for the petitioner, O.P.No.352 of 2020 is withdrawn from the Family Court,



Theni, Theni District and transferred to the file of the Family Court, Trichy, Trichy District., for disposal as per law. The Judge, Family Court, Theni, Theni District is directed to transmit the papers to the file of the Family Court, Trichy, Trichy District forthwith. The Judge, Family Court, Trichy, Trichy District is directed to dispose O.P.No.352 of 202 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 (AS)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

msa/CM

To:

1. The Judge,
Family Court, Theni, Theni District.

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

+1 CC to M/s.M.PITCHAI MUTHU, Advocate (SR-18340[F] dated 03/05/2021)

Order made in

Tr.C.M.P. (MD) No.88 of 2021
and C.M.P (MD) No.1879 of 2021

29.04.2021

KK(24.05.2021) 2P 4C