



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P. (MD) No.104 of 2021

and

CMP (MD) .No.2201 of 2021

M.Kalairani

... Petitioner/Respondent

-vs-

N.Ananthan

.... Respondent/Petitioner

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.990 of 2020 from the file of the Family Court VII, Chennai and to transfer the same to the file of Sub Court, Ramanathapuram or any other competent Court in Ramanathapuram District.

For Petitioner : Mr.S.Malaikani

For Respondent : No appearance

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw the case in H.M.O.P.No.990 of 2020 from the file of the Family Court VII, Chennai and to transfer the same to the file of Sub Court, Ramanathapuram or any other competent Court in Ramanathapuram District.

2.The respondent/husband has filed H.M.O.P.No.990 of 2020 before Family Court VII, Chennai, for divorce.

3.The learned counsel for the petitioner/wife submitted that the petitioner is residing at Keelakarai Taluk, Ramanathapuram District. The distance between Ramanathapuram and Chennai is about 600 kms. In such situation, it is highly difficult for the petitioner to attend every hearing in H.M.O.P.No.990 of 2020 before the Family Court VII, Chennai. Therefore, he seeks to transfer the case to Ramanathapuram or any other competent Court in Ramanathapuram.



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

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of the case and considering the submission made by the learned counsel for the petitioner, H.M.O.P.No.990 of 2020 is withdrawn from the Family Court VII, Chennai and transferred to the file of Subordinate Court, Ramanathapuram, for disposal as per law. The learned Judge, Family Court VII, Chennai, is directed to transmit the papers to the file of the Subordinate Court, Ramanathapuram, forthwith. The learned Subordinate Judge, Ramanathapuram, is directed to dispose of the case in H.M.O.P.No.990 of 2020 on merits and in accordance with law as expeditiously as possible.

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

Sd/-

Assistant Registrar (CS III)

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Sub Assistant Registrar(CS)

msa

To:

1. The Judge, Family Court No.VII, Chennai
- 2.The Subordinate Judge, Ramanathapuram.

+1 CC to M/s.S.MALAIKANI, Advocate (SR-21661[F] dated 08/07/2021)

Order made in
Tr.C.M.P. (MD) No.104 of 2021 and
CMP (MD) .No.2201 of 2021

Dated:
08.07.2021