



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :13.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P. (MD) No.93 of 2020

and

C.M.P(MD) No.1958 of 2020

WEB COPY

Viruthika

... Petitioner/Respondent

-vs-

Arvindh

... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the HMOP.No.3561 of 2019 on the file of the learned Family Court Judge-IV, Chennai and transfer the same to the file of the Family Court, Tiruchirapalli to try along with H.M.O.P.No.25 of 2020 on the file of Learned Family Court, Tiruchirapalli.

For Petitioner : Mr.M.P.Senthil

For Respondent : Ms.P.Maheswari

O R D E R

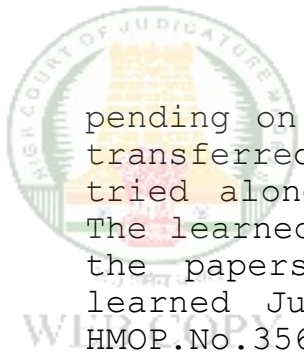
The present Transfer Civil Miscellaneous Petition is filed to withdraw HMOP.No.3561 of 2019 on the file of the learned Family Court Judge-IV, Chennai and transfer the same to the file of the Family Court, Tiruchirapalli to try along with H.M.O.P.No.25 of 2020 on the file of Learned Family Court, Tiruchirapalli.

2.The respondent/husband has filed H.M.O.P.No.3561 of 2019 before the Family Court IV, Chennai, for dissolution of marriage. The petitioner/wife has filed H.M.O.P.No.25 of 2020 before the Family Court, Tiruchirapalli, for divorce.

3.The learned counsel for the petitioner/wife submitted that the petitioner is residing along with age old parents in Trichy. The distance between Trichy to Chennai is nearly 330 kms and it takes more than 6 hours journey. The petitioner has no other male support except her father. In these circumstances, it is difficult for the petitioner to attend the Court hearing in H.M.O.P.No.3561 of 2019. Hence, he seeks to transfer the case to the file of Family Court, Tiruchirappalli to try along with the HMOP.No.25 of 2020.

4. The learned counsel appearing for the respondent/husband has no objection to transfer the case.

5. Considering the facts and circumstances of the case and considering the arguments made by both side, H.MO.P.No.3561 of 2019



pending on the file of Family Court IV, Chennai, is withdrawn and transferred to the file of Family Court, Tiruchirapalli, to be tried along with H.M.O.P.No.25 of 2020, for disposal as per law. The learned Judge, Family Court IV, Chennai, is directed to transmit the papers to the Family Court, Tiruchirapalli, forthwith. The learned Judge, Family Court, Tiruchirapalli is directed to club HMOP.No.3561 of 2019 along with H.M.O.P.No.25 of 2020 together and dispose of the same on merits and in accordance with law as expeditiously as possible.

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

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

msa/cp

To:

- 1.The Judge, Family Court IV, Chennai.
- 2.The Judge, Family Court, Tiruchirapalli.

+1 CC to M/s.M.P.SENTHIL, Advocate (SR-22342[F] dated 13/07/2021)

Tr.C.M.P. (MD) No.93 of 2020

and

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