



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2021

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

Tr.C.M.P.(MD) No.95 of 2020
and
C.M.P.(MD) No.1983 of 2020

M.Murugeswari

.. Petitioner

-vs-

M.Nagaraj

.. Respondent

Prayer :- Petition filed under Section 24 of Code of Civil Procedure to withdraw H.M.O.P.No.96 of 2019 on the file of the Hon'ble Sub Court, Udumalapettai, Tiruppur District and transfer the same to the Hon'ble Family Court, Dindigul, Dindigul District.

For Petitioner : Mr.S.Alagusundar

For Respondent : No appearance

ORDER

This petition has been filed by the petitioner/wife seeking transfer of H.M.O.P.No.96 of 2019 on the file of the Sub Court, Udumalapettai, Tiruppur to the file of the Family Court, Dindigul.

2.The petitioner is residing at Vedasanthur Taluk in Dindigul District. It is the case of the petitioner that her husband had deserted herself and her two daughters and that she is eking her livelihood as a coolie and from the wages earned, she has also educated her two daughters and got the first daughter married on 09.03.2017. The respondent/husband has not contributed anything for the education or for the marriage of the daughters. If she has to attend the case at the Sub Court, Udumalapettai, Tiruppur, she would have to travel over 200 kms and she would also have to spend her hard earned money for the travel.

3.The respondent though served, did not enter appearance through counsel.



4.Considering the fact that the respondent has not been maintaining the petitioner and her two daughters and the fact that the wife is living within the jurisdiction of the Family Court at Dindigul, the Transfer Civil Miscellaneous Petition is allowed and the petition viz., H.M.O.P.No.96 of 2019 now pending on the file of the Sub Court, Uduamalapettai, Tiruppur is withdrawn and transferred to the file of the Family Court, Dindigul, which has also jurisdiction under Section 19 of the Hindu Marriage Act, 1955. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

abr

Note:-

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

To

1.The Judge,
Sub Court, Udumalapettai, Tiruppur.

2.The Judge,
Family Court, Dindigul.

Tr.C.M.P.(MD) No.95 of 2020

Dated: 23.11.2021

MGJ(07.12.2021) 2P 3C