



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :16.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P. (MD) No.100 of 2021

and

C.M.P. (MD)No.2148 of 2021

WEB COPY

S.Madhivadhani

... Petitioner/Respondent

-vs-

B.Prabhu

... 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.867 of 2020 pending on the file of the Family Court, Tirupur and transfer the same to the Family Court, Dindigul.

For Petitioner : Mr.R.Suresh Kumar

For Respondent : Ms.R.Yamuna

O R D E R

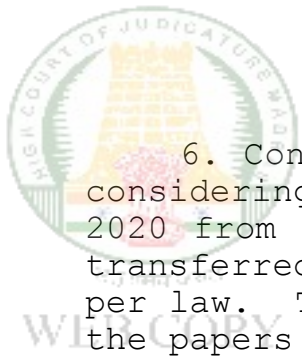
The present Transfer Civil Miscellaneous Petition is filed to withdraw the case in H.M.O.P.No.867 of 2020 pending on the file of the Family Court, Tirupur and transfer the same to the Family Court, Dindigul.

2.H.M.O.P.No.867 of 2020 was filed by the respondent/husband before the Family Court, Tirupur, for divorce. It is further submitted that the petitioner is living in Batlagundu and she has no financial support and due to that she could not able to appear before the Family Court, Tirupur, to contest the case. Therefore, the petitioner seeks to transfer the case in H.M.O.P.No.867 of 2020, on the file of the Family Court, Tirupur, to the file of Family Court, Dindigul.

3. The learned counsel for the respondent has objected to transfer the case in H.M.O.P.No.867 of 2020 to the file of Family Court, Dindigul, since Dindigul is native place to the petitioner and her family members are having political power and influenced persons in their locality, there would be life threat to the respondent.

4. This Court has considered the submissions made on either side.

5. This Court feels to transfer the case to the file of Karur, for which, the learned counsel appearing on either side has not raised any objection for the same.



6. Considering the facts and circumstances of the case and also considering the submissions made by both counsel, H.M.O.P.No.867 of 2020 from the file of the Family Court, Tirupur, is withdrawn and transferred to the file of the Family Court, Karur, for disposal as per law. The Judge, Family Court, Tirupur, is directed to transmit the papers to the Family Court, Karur, forthwith. The Judge, Family Court, Karur, is directed to dispose of H.M.O.P.No.867 of 2020 on merits and in accordance with law as expeditiously as possible.

7. This Transfer Civil Miscellaneous Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To:

1. The Judge, Family Court, Tirupur.
2. The Judge, Family Court, Karur.
3. The Judge, Family Court, Dindigul.

Order made in

Tr.C.M.P. (MD) No.100 of 2021
and C.M.P. (MD) No.2148 of 2021

Dated: 16.06.2021

srk(CO)

TR(24.06.2021) 2P 4C