



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P. (MD) No.103 of 2021

and

C.M.P. (MD) No.2178 of 2021

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Karthika Devi

... Petitioner/Respondent

-vs-

Selva Janaki Raman

... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw H.M.O.P.No.174 of 2020 on the file of the Family Court, Tirunelveli and transfer the same to the file of the Sub Court, Devakottai for the disposal of the case on merits and in accordance with law.

For Petitioner : Mr.R.Gandhi

For Respondent : Mr.H.Arumugam

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw H.M.O.P.No.174 of 2020 on the file of the Family Court, Tirunelveli and transfer the same to the file of the Sub Court, Devakottai

2.H.M.O.P.No.174 of 2020 was filed by the respondent/husband, before the Family Court, Tirunelveli under Section 13(1) (ia) of Hindu Marriage Act, seeking divorce. Transfer is sought for mainly on the ground that it is difficulty for the petitioner to travel a distance of 250 kms from Karaikudi to Tirunelveli for each and every hearing and she will be put to irreparable loss and injury.

3.The learned counsel for the respondent has no serious objection in allowing the Transfer Civil Miscellaneous Petition.

4. This Court has considered the submissions made on either side and is satisfied with the reasons stated in the affidavit filed in support of this petition.

5. Considering the facts and circumstances of the case and also considering the submissions made by both counsel, H.M.O.P.No.174 of 2020, pending on the file of the Family Court, Tirunelveli is withdrawn and transferred to the file of the Sub Court, Devakottai for disposal in accordance with law. The Family



Court, Tirunelveli is directed to transmit the papers to the Sub Court, Devakottai forthwith. The Subordinate Court, Devakottai is directed to refer the matter to the mediation and on receiving the report of mediation, H.M.O.P.No.174 of 2020 shall be disposed of on merits and in accordance with law as expeditiously as possible.

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6.This petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (T&P)

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/ /2021

Sub Assistant Registrar(CS)

vrn

To:

1.The Family Court, Tirunelveli

2.The Sub Court, Devakottai

+1 CC to MR.R.GANDHI, Advocate (SR-18201[F] dated 30/04/2021)

Order made in
Tr.C.M.P. (MD) No.103 of 2021
and
C.M.P. (MD) No.2178 of 2021
Dated:30.04.2021

KM (17.05.2021) 2P 4C