



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :19.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P. (MD) No.106 of 2021

and

C.M.P. (MD) No.2228 of 2021

WEB COPY

Meenakumari ... Petitioner/Respondent
-vs-
E.Saravanaprasath ... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to pass an order withdrawing the divorce petition in H.M.O.P.No.197 of 2020 on the file of the Subordinate Court, Kovilpatti and to transfer the same to the file of any of the Subordinate Courts at Madurai.

For Petitioner : Mr.J.Barathan
For Respondent : No appearance

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw the divorce petition in H.M.O.P.No.197 of 2020 on the file of the Subordinate Court, Kovilpatti and to transfer the same to the file of any of the Subordinate Courts at Madurai.

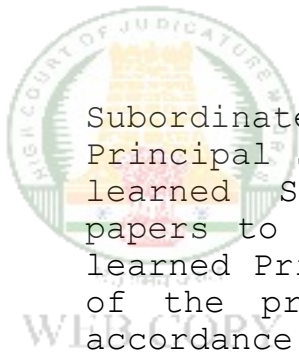
2.The respondent/ husband has filed H.M.O.P.No.197 of 2020 before the subordinate Court, Kovilpatti, for divorce.

3.The learned counsel for the petitioner/wife submitted that the petitioner is having 2 years old child and she is living with her parents at Madurai. The distance between Madurai and Kovilpatti is nearly 105 kms. In such circumstances, it is difficult for the petitioner to travel from Madurai to Kovilpatti for attending every hearing in HMOP.No.197 of 2020 on the file of the Subordinate Court, Kovilpatti. Therefore, he seeks to transfer the case in H.M.O.P.No.197 of 2020 to the file of Principal Subordinate Court, Madurai.

4.Though the name of the respondent is printed in the cause list, the respondent has not chosen to appear either in person or through counsel duly instructed.

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the case and also considering the submissions made by the learned counsel for the petitioner, H.M.O.P.No.197 of 2020 is withdrawn from the file of the



Subordinate Court, Kovilpatti and transferred to the file of the Principal Subordinate Court, Madurai, for disposal as per law. The learned Subordinate Judge, Kovilpatti, is directed to transmit the papers to the Principal Subordinate Court, Madurai, forthwith. The learned Principal Subordinate Judge, Madurai, is directed to dispose of the proceedings in H.M.O.P.No.197 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 (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

msa/cp

To:-

1. The Subordinate Judge, Kovilpatti.

2.The Principal Subordinate Judge, Madurai.

+1 CC to M/s.T.R.JEYAPALAM, Advocate (SR-23246[F] dated 20/07/2021)

Tr.C.M.P. (MD) No.106 of 2021
and

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Ns (CO)

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