



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :28.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P. (MD) No.123 of 2020

and

C.M.P. (MD)No.2350 of 2020

WEB COPY

Dr.Muthu

... Petitioner/Respondent
-vs-

Dr.Ravikumar

... 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.337 of 2019 on the file of Principal Subordinate Court, Pudukottai District and transfer the same to the file of the Subordinate Court, Kovilpatti.

For Petitioner : Mr.R.J.Karthick

For Respondent : Mr.B.Prahalad Ravi

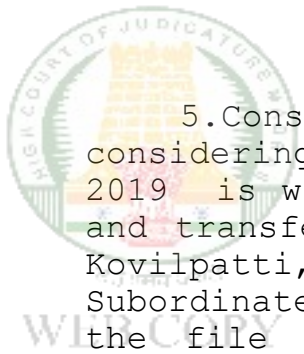
O R D E R

This Transfer Civil Miscellaneous Petition has been filed to withdraw H.M.O.P.No.337 of 2019 on the file of Principal Subordinate Court, Pudukottai District and transfer the same to the file of the Subordinate Court, Kovilpatti.

2.The respondent/husband has filed H.M.O.P.No.337 of 2019 before the Principal Subordinate Court, Pudukottai District, for divorce.

3.The learned counsel for the petitioner/wife submitted that the petitioner is residing at Tirunelveli and presently working in Government Hospital, Kovilpatti, Thoothukudi District and no one available to accompany with her for attending the Court hearings at Pudukottai. The distance between Kovilpatti and Pudukkottai is nearly 226 kms. In such circumstances, it is difficult for the petitioner to attend the hearing in H.M.O.P.No.337 of 2019 before the Principal Subordinate Court, Pudukottai. Therefore, he seeks to transfer the case to Kovilpatti.

4.The learned counsel for the respondent/husband has strongly opposed to transfer the case. However, he submitted that there may be a possibility for settlement between the parties and hence, he prays to refer the matter to mediation.



5.Considering the facts and circumstances of the case and considering the submission made by both counsel, H.M.O.P.No.337 of 2019 is withdrawn from the Principal Subordinate Court, Pudukottai and transferred to the file of Sub Court, Kovilpatti, for disposal as per law. The learned Principal Subordinate Judge, Pudukottai, is directed to transmit the papers to the file of the Sub Court, Kovilpatti, forthwith. The learned Subordinate Judge, Kovilpatti, is directed to refer the matter to mediation and on receiving the report of mediation, H.M.O.P.No.337 of 2019 shall be disposed of on merits and in accordance with law as expeditiously as possible.

6.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)

To:-

1.The Principal Subordinate Court,
Pudukottai District.

2.The Subordinate Judge, Kovilpatti.

+1 CC to M/s.B.PRAHALAD RAVI, Advocate (SR-24248[F] dated 28/07/2021)

Tr.C.M.P. (MD) No.123 of 2020

and

C.M.P. (MD) No.2350 of 2020

Dated:

28.07.2021

MGJ(05.08.2021) 2P 4C