



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :18.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P. (MD) No.155 of 2021

and

C.M.P. (MD)No.3005 of 2021

WEB COPY

A.Shanmugapriya

... Petitioner/Respondent

-vs-

J.Sathiyakumar

... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the H.M.O.P.No.68 of 2020 from the file of the Family Court, Dindigul and transfer the same to the Sub Court, Pattukkottai, Thanjavur District.

For Petitioner : Mr.A.Senthil Kumar

For Respondent : No appearance

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw the H.M.O.P.No.68 of 2020 from the file of the Family Court, Dindigul and transfer the same to the Sub Court, Pattukkottai, Thanjavur District.

2.The respondent/ husband has filed H.M.O.P.No.68 of 2020 before the Family Court, Dindigul, for divorce.

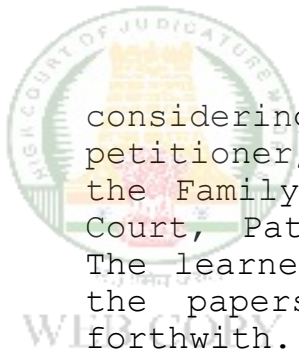
3.The learned counsel for the petitioner submitted that the petitioner is residing with her parents, who are coolie workers. The distance between Orathanadu to Dindigul is more than 250 kms. The petitioner could not meet out the expenses for each and every hearings. In such circumstances, it is difficult for the petitioner to appear before the Family Court, Dindigul, to contest the case. Therefore, the petitioner seeks to transfer the case in H.M.O.P.No.68 of 2020, on the file of Family Court, Dindigul, to the file of Sub Court, Pattukkottai, Thanjavur District.

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 considered the arguments made by the learned counsel for the petitioner.

6. This Court is satisfied with the reasons stated in the affidavit filed in support of this petition.

7. 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considering the submissions made by the learned counsel for the petitioner, H.M.O.P.No.68 of 2020 is withdrawn from the file of the Family Court, Dindigul and transferred to the file of the Sub Court, Pattukottai, Thanjavur District, for disposal as per law. The learned Judge, Family Court, Dindigul, is directed to transmit the papers to the Sub Court, Pattukottai, Thanjavur District, forthwith. The learned Subordinate Judge, Pattukottai, Thanjavur District, is directed to dispose H.M.O.P.No.68 of 2020 on merits and in accordance with law as expeditiously as possible.

8. 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)

msa/cp

To:

1. The Judge, Family Court, Dindigul.
2. The Subordinate Judge, Pattukottai, Thanjavur District.

Order made in
Tr.C.M.P. (MD) No.155 of 2021
and
C.M.P. (MD)No.3005 of 2021

Dated:
18.06.2021

KK(29.06.2021) 2P 3C