



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P. (MD) No.136 of 2021

and C.M.P. (MD) No.2628 of 2021

WEB COPY

Jegadeswari

... Petitioner/Respondent

-vs-

Loganathan

... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw and transfer H.M.O.P.No.18 of 2021 from the file of the Sub Court, Theni, to the file of the Principal Sub Court, Srivilliputhur.

For Petitioner : Mr.M.Thirunavukkarasu

For Respondent : Mr.V.Selvakumar

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw H.M.O.P.No.18 of 2021 from the file of the Sub Court, Theni, and transfer the same to the file of the Principal Sub Court, Srivilliputhur.

2.H.M.O.P.No.18 of 2021 was filed by the respondent/husband before the Sub Court, Theni, for divorce.

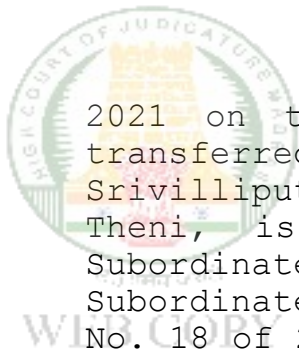
3. The learned counsel for the petitioner submitted that the petitioner has no male member to come with her for attending the case except her younger brother and since the petitioner's father expired, she is living with her mother only. The distance between Theni to Srivilliputhur is 150 kms. In such circumstances, the petitioner could not able to travel to Theni from Srivilliputhur for attending every hearing in H.M.O.P.No.18 of 2021. Therefore, the petitioner seeks transfer of H.M.O.P.No. 18 of 2021 to the file of the Principal Subordinate Court, Srivilliputhur.

4.The learned counsel for the respondent has submitted that the respondent has no objection for transferring the case. However, he prays for expeditious disposal.

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

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 both counsel, H.M.O.P.No.18 of



2021 on the file of the Sub Court, Theni, is withdrawn and transferred to the file of the Principal Subordinate Court, Srivilliputhur for disposal as per law. The Subordinate Judge, Theni, is directed to transmit the papers to the Principal Subordinate Court, Srivilliputhur forthwith. The Principal Subordinate Judge, Srivilliputhur is directed to dispose of H.M.O.P. No. 18 of 2021 on merits and in accordance with law as expeditiously as possible.

8. 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)

cm/msa

To:

1. The Principal Subordinate Court, Srivilliputhur.
2. The Sub Court, Theni

Order made in

Tr.C.M.P. (MD) No.136 of 2021
and C.M.P. (MD) No.2628 of 2021

Dated:

27.04.2021

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