



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P. (MD) No.135 of 2021

and

C.M.P. (MD) No.2593 of 2021

WEB COPY

M.Dharani @ Dhivya

... Petitioner/Respondent

-vs-

C.Ramprasath

... 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.54 of 2021 pending on the file of the Family Court, Tirunelveli and transfer the same to the Sub Court, Kovilpatti.

For Petitioner : Mr.A.Srinivasan

For Respondent : Mr.S.Gokulraj

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw H.M.O.P.No.54 of 2021 pending on the file of the Family Court, Tirunelveli and transfer the same to the Sub Court, Kovilpatti.

2.The learned counsel for the petitioner/wife submits that the respondent/husband has filed H.M.O.P.No.54 of 2021 before the Family Court, Tirunelveli for divorce. It is further submitted that the petitioner is having 1 ½ years old child. In such circumstances, it is difficult for the petitioner to travel from Kovilpatti to Tirunelveli for attending every hearing in HMOP.No.54 of 2021 on the file of the Family Court, Tirunelveli.

3. Per contra, the learned counsel for the respondent submitted that the distance between the Kovilpatti to Tirunelveli is nearly 70 kms and the petitioner can easily travel to reach the Court and therefore, he has strongly objected for transferring the case.

4. At this juncture, the learned counsel for the petitioner prays that the appearance of the petitioner may be dispensed with.

5.Considering the submission made by both counsel, this Transfer Civil Miscellaneous Petition is dismissed. However, the personal appearance of the petitioner before the Family Court, Tirunelveli is dispensed with, except on the dates of hearing, on which, the learned Judge insists upon the petitioner to appear



before the Court. On other hearing dates, the counsel on behalf of the petitioner may appear before the court. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

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// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To:

1.The Judge,
Family Court, Tirunelveli.

2.The Subordinate Judge,
Subordinate court, Kovilpatti

+1 CC to M/s.S.GOKULRAJ, Advocate (SR-19360[F] dated 16/06/2021)

+1 CC to M/s.A.SRINIVASAN, Advocate (SR-19400[F] dated 16/06/2021)

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KB(23.06.2021) 2P 5C