



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :30.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P. (MD) No.129 of 2021

and CMP (MD) .No.2548 of 2021

WEB COPY

R.Revathi

... Petitioner/Respondent

-vs-

Saravanan

....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.290 of 2019 on the file of the Principal Sub Court, Pudukkottai District and to transfer the same to the file of Family Court, Sivagangai District.

For Petitioner : Mr.K.Gokul

For Respondent : No appearance

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw H.M.O.P.No.290 of 2019 on the file of the Principal Sub Court, Pudukkottai District and to transfer the same to the file of Family Court, Sivagangai District.

2.The respondent/husband has filed H.M.O.P.No.290 of 2019 before the Principal Sub Court, Pudukkottai District for restitution of conjugal rights.

3.The learned counsel for the petitioner/wife submitted that the petitioner is having 2 year old child and she is residing in Sivagangai District. The distance between Sivagangai to Pudukkottai is about 180 kms. In such circumstances, it is very difficult for the petitioner to travel from Sivagangai to Pudukkottai District for attending every hearing in H.M.O.P.No.290 of 2019 on the file of the Principal Sub Court, Pudukkottai District. Therefore, he seeks transfer of the said petition to the file of the Family Court, Sivagangai District.

4. Today, when the matter is taken up for hearing, there is no representation on behalf of the respondent either in person or through counsel.

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of the case and considering the submission made by the learned counsel for the petitioner, H.M.O.P.No.290 of 2019 is withdrawn from the file of Principal Sub Court, Pudukkottai District and transferred to the file of Family Court, Sivagangai District for disposal as per law. The Principal Subordinate Judge, Pudukkottai District is directed to transmit the papers to the file of the Family Court, Sivagangai District, forthwith. The Judge, Family Court, Sivagangai District is directed to dispose H.M.O.P.No.290 of 2019 on merits and in accordance with law as expeditiously as possible.

8. In fine, this petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

msa

To:

1. The Principal Subordinate Judge,
Pudukkottai District

2. The Judge, Family Court, Sivagangai

Order made in
Tr.C.M.P. (MD) No.129 of 2021
and CMP (MD) .No.2548 of 2021

Dated:
30.04.2021

RK (13.05.2021) 2P 3C