



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.134 of 2021

and CMP (MD) .No.2589 of 2021

B.Sindhuja

... Petitioner/Respondent

-vs-

R.Muthumanikandan

... 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.128 of 2020 pending before the Principal Sub Court, Tenkasi and transfer to the Family Court, Chennai.

For Petitioner : Mr.R.Meenakshi Sundaram
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.128 of 2020 pending before the Principal Sub Court, Tenkasi and transfer to the Family Court, Chennai.

2.The respondent/husband has filed H.M.O.P.No.128 of 2020 before the Principal Sub Court, Tenkasi against the petitioner/wife for dissolution of marriage.

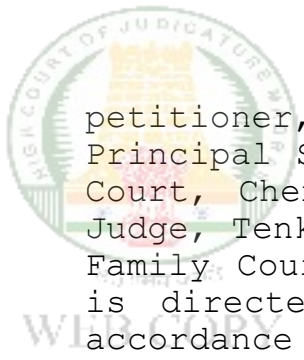
3.The learned counsel for the petitioner/wife submitted that the petitioner is residing with her parents at Chennai. The distance between Chennai to Tenkasi is about 600 kms. In such circumstances, it is very difficult for the petitioner to travel from Chennai to Tenkasi for attending every hearing in H.M.O.P.No.128 of 2020 on the file of the Principal Sub Court, Tenkasi. Therefore, he seeks transfer of the said petition to the file of the Family Court, Chennai.

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petitioner, H.M.O.P.No.128 of 2020 is withdrawn from the file of Principal Sub Court, Tenkasi and transferred to the file of Family Court, Chennai for disposal as per law. The Principal Subordinate Judge, Tenkasi is directed to transmit the papers to the file of the Family Court, Chennai, forthwith. The Judge, Family Court, Chennai is directed to dispose H.M.O.P.No.128 of 2020 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 (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To:

1. The Principal Subordinate Judge,
Tenkasi
2. The Judge, Family Court, Chennai

Tr.C.M.P. (MD) No.134 of 2021
and CMP (MD).No.2589 of 2021

Dated:
30.04.2021

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