



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.131 of 2021

and CMP (MD) .No.2584 of 2021

Mohana Priya

... Petitioner/Respondent

-vs-

Maxim Karkee

... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the case in H.M.O.P.No.9 of 2021 on the file of the Family Court, Tirunelveli and transfer the same to the Family Court, Trichy.

For Petitioner : Mr.A.V.Rajasekaran
For Respondent : No appearance

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw the case in H.M.O.P.No.9 of 2021 on the file of the Family Court, Tirunelveli and transfer the same to the Family Court, Trichy.

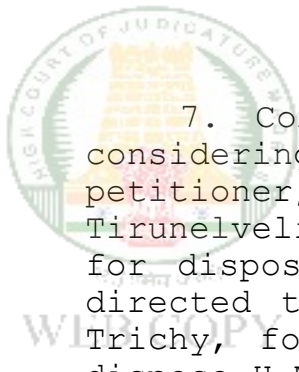
2.The respondent/husband has filed H.M.O.P.No.9 of 2021 before the Family Court, Tirunelveli for divorce.

3.The learned counsel for the petitioner/wife submitted that the petitioner is having 5 years old child and she has no source of income and she is residing with her mother's rental house and also depending on her each and every things and livelihoods. The distance between Trichy to Tirunelveli is about 300 kms. In such circumstances, it is very difficult for the petitioner to travel from Trichy to Tirunelveli for attending every hearing in H.M.O.P.No.9 of 2021 on the file of the Family Court, Tirunelveli. Therefore, he seeks transfer of the said petition to the file of the Family Court, Trichy.

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of the case and considering the submission made by the learned counsel for the petitioner, H.M.O.P.No.9 of 2021 is withdrawn from the Family Court, Tirunelveli and transferred to the file of the Family Court, Trichy, for disposal as per law. The Judge, Family Court, Tirunelveli is directed to transmit the papers to the file of the Family Court, Trichy, forthwith. The Judge, Family Court, Trichy is directed to dispose H.M.O.P.No.9 of 2021 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 (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To:

1. The Judge, Family Court, Tirunelveli
2. The Judge, Family Court, Trichy

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KB(13.05.2021) 2P 3C