



WEB COPY

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.145 of 2021

and CMP (MD) .No.2856 of 2021

Madhumathi

... Petitioner/Respondent

-vs-

1.Saravanan @ Senbagamoorthy

....1st Respondent/Petitioner

2.The Registrar of Marriages/Sub-Registrar

Office of the Sub Registrar

Karaikudi

... 2nd Respondent/2nd Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the case in M.O.P.No.47 of 2019 on the file of Family Court, Karaikal and transfer the same to the file of Family Court, Dindigul or any other Court in Dindigul District for disposal of the same on merits in accordance with law.

For Petitioner : Mr.A.Arumugam

For M/s.Ajmal Associates

For Respondent : No appearance

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw the case in M.O.P.No.47 of 2019 on the file of Family Court, Karaikal and transfer the same to the file of Family Court, Dindigul or any other Court in Dindigul District for disposal of the same on merits in accordance with law.

2.The first respondent/husband has filed M.O.P.No.47 of 2019 before the Family Court, Karaikal for divorce.

3.The learned counsel for the petitioner submitted that the petitioner is having 3 years old child and she is not having any source of income and her parents only taking care of her. The distance between the Dindigul to Karaikal is about 300 kms. In such circumstances, it is very difficult for the petitioner to travel from Dindigul to Karaikal for attending every hearing in M.O.P.No.47 of 2019 on the file of the Family Court, Karaikal. Therefore, he seeks transfer of the said petition to the file of the Family Court, Dindigul, Dindigul District.



4. Today, when the matter is taken up for hearing, there is no representation on behalf of the respondents 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of the case and considering the submission made by the learned counsel for the petitioner, M.O.P.No.47 of 2019 is withdrawn from the Family Court, Karaikal and transferred to the file of the Family Court, Dindigul, Dindigul District for disposal as per law. The Judge, Family Court, Karaikal is directed to transmit the papers to the file of the Judge, Family Court, Dindigul, Dindigul District, forthwith. The Judge, Family Court, Dindigul, Dindigul District is directed to dispose M.O.P.No.47 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 (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

msa

To:

1. The Judge, Family Court, Karaikal
2. The Judge, Family Court, Dindigul, Dindigul District

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-18165[F] dated 30/04/2021)

Order made in
Tr.C.M.P. (MD) No.145 of 2021
and CMP(MD).No.2856 of 2021

Dated:

30.04.2021

RK(13.05.2021) 2P 4C