



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P. (MD) No.162 of 2021

and

C.M.P. (MD) No.3121 of 2021

WEB COPY

S.Ruby

... Petitioner/Respondents
-vs-

M.Wilson Sanjivee Kumar

... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to call for the records relating to I.D.O.P.No.114 of 2020 on the file of the Principal District Judge, Thanjavur, Transfer the same to the Principal District Court, Tiruchirapalli.

For Petitioner : Ms.S.Amala Irudhaya Mary

For Respondent : Mr.R.Nandakumar

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to call for the records relating to I.D.O.P.No.114 of 2020 on the file of the Principal District Judge, Thanjavur, Transfer the same to the Principal District Court, Tiruchirapalli.

2.The respondent/husband has filed I.D.O.P.No.114 of 2020 before the Principal District Court, Thanjavur, for divorce.

3. The learned counsel for the petitioner/wife submitted that the petitioner is residing at Lalgudi with her age old mother and also taking care of her daughter, who is aged about 7 years and she is working as a "Track Woman". The distance between Lalgudi to Thanjavur is nearly 120 kms and there is no frequent buses are available from the petitioner's residence to reach the Court at Thanjavur. Moreover, the respondent is working as a Teacher at Chellammal Matriculation Higher Secondary School, Thiruvarambur, Trichy and it is also convenient for the respondent to attend the Court at Trichy. In this circumstance, it is difficult for the petitioner to travel from Lalgudi to Thanjavur, for attending the Court hearing in I.D.O.P.No.114 of 2020. Hence, he prays to transfer the case to Trichy.

4.The learned counsel appearing for the respondent submitted that he has no objection for transferring the petition.



5.This Court considered the arguments made by both sides.

6.Considering the facts and circumstances of the case and considering the submission made by both sides, I.D.O.P.No.114 of 2020 is withdrawn from the Principal District Court, Thanjavur and transferred to the file of Principal District Court, Trichy, for disposal as per law. The learned Principal District Judge Thanjavur, is directed to transmit the papers to the file of the Principal District Court, Trichy, forthwith. The Principal District Court, Trichy, is directed to dispose I.D.O.P.No.114 of 2020 on merits and in accordance with law as expeditiously as possible.

7.The personal appearance of both parties before the Principal District Court, Trichy is dispensed with, except the dates of hearing, on which, the learned Judge insisted upon the parties to appear before the Court. On other hearing dates, the counsel on behalf of the parties may appear before the court.

8. In fine, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

msa/cp

To:

1.The Principal District Judge, Trichy.

2.The Principal District Judge, Thanjavur.

+1 CC to M/s.S.AMALA IRUDHAYA MARY, Advocate (SR-20861[F] dated 01/07/2021)

+1 CC to M/s.M.R.SREENIVASAN, Advocate (SR-20922[F] dated 01/07/2021)

Order made in
Tr.C.M.P. (MD) No.162 of 2021

and
C.M.P. (MD) No.3121 of 2021

Dated:

01.07.2021