



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :22.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P. (MD) No.189 of 2021

and

C.M.P. (MD) No.3637 of 2021

WEB COPY

Parameswari

... Petitioner

-vs-

Kamaraj

... Respondent

**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.101 of 2020 on the file of the Family Court, Sivagangai and transfer the same to Sub Court, Pudukkottai.

For Petitioner : Mr.P.Subbaraj

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.101 of 2020 on the file of the Family Court, Sivagangai and transfer the same to Sub Court, Pudukkottai.

2.The respondent/ husband has filed H.M.O.P.No.101 of 2020 before the Family Court, Sivagangai, for divorce.

3.The learned counsel for the petitioner submitted that the petitioner is residing at her native place namely Karugapoolampatti, Ponnamaravathi Taluk, Pudukkottai District, along with her son, who is aged about 8 years. The petitioner is depending on her family for her livelihood and she has no other source of income. The distance between Pudukkottai and Sivagangai is about 70 kms. In such circumstances, it is difficult for the petitioner to travel from Pudukkottai to Sivagangai District, for attending ever hearings in H.M.O.P.No.101 of 2020. Hence, he prays to transfer the case to the file of Sub Court, Pudukkottai.

4.Though the name of the respondent is printed in the cause list, the respondent has not chosen to appear either in person or through counsel duly instructed.



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the case and also considering the submissions made by the learned counsel for the petitioner, H.M.O.P.No.101 of 2020 is withdrawn from the file of the Family Court, Sivagangai and transferred to the file of the Sub Court, Pudukkottai, for disposal as per law. The learned Judge, Family Court, Sivagangai, is directed to transmit the papers to the Sub Court, Pudukkottai, forthwith. The learned Subordinate Judge, Pudukkottai, is directed to dispose H.M.O.P.No.101 of 2020 on merits and in accordance with law as expeditiously as possible.

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

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

msa/cp

To:-

1. The Judge, Family Court,  
Sivagangai.

2. The Subordinate Judge,  
Pudukkottai.

+1 CC to Mr.P.SUBBURAJ, Advocate ( SR-19963[F] dated 23/06/2021 )

Order made in  
Tr.C.M.P. (MD) No.189 of 2021  
and  
C.M.P. (MD) No.3637 of 2021  
Dated:  
22.06.2021

KM(29.06.2021) 2P 4C