



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P. (MD) No.190 of 2021

and C.M.P. (MD)No.3664 of 2021

WEB COPY

Santha Devi

... Petitioner/Petitioner

-vs-

G.Murugiah

... Respondent/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.99 of 2019, pending before the Sub Court, Usilampatti, Madurai District and to transfer the same to the Family Court, Thanjavur.

For Petitioner : Ms.K.Saraswathi

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.99 of 2019 pending before the Sub Court, Usilampatti, Madurai District and to transfer the same to the Family Court, Thanjavur.

2.The learned counsel for the petitioner submits that now the petitioner is working as a Teacher in the Government Boys Higher Secondary School at Vallam, Thanjavur District. The petitioner has filed H.M.O.P.No.227 of 2018 before the III Additional Sub Court, Madurai (Camp at Usilampatti) to declare the marriage between the petitioner and the respondent as null and void. The said case was transferred to the Sub Court, Usilampatti, Madurai District and re-numbered as H.M.O.P.No.99 of 2019. He would further submit that the petitioner is living with her aged mother. Due to life threaten of the respondent, the petitioner is unable to go to Usilampatti for attending the case in HMOP.No.99 of 2019. Since the petitioner's work place is at Vallam, Thanjavur District and now she is residing at Kumaran Kudieruppu Vallam, Thanjavur District, she prays to transfer the case to the file of Family Court, Thanjavur.

3.The learned counsel for the respondent has not appeared today.

4. This Court is satisfied with the reasons stated in the affidavit filed in support of this petition.

5. Considering the facts and circumstances of the case and also considering the submissions made by learned counsel for the petitioner, H.M.O.P.No.99 of 2019 is withdrawn from the file of the



Sub Court, Usilampatti, Madurai District and transferred to the file of the Family Court, Thanjavur, for disposal as per law. The Subordinate Judge, Usilampatti, Madurai District is directed to transmit the papers to the Family Court, Thanjavur, forthwith. The Judge, Family Court, Thanjavur, is directed to dispose H.M.O.P.No.99 of 2019 on merits and in accordance with law, as expeditiously as possible.

6. 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

To:

- 1.The Subordinate Judge, Usilampatti, Madurai District
2. The Judge, Family Court, Thanjavur,

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