



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :17.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P. (MD) No.202 of 2021

and

C.M.P. (MD)No.3866 of 2021

WEB COPY

Muthuselvi ... Petitioner/Respondent

-vs-

P.Pattarajan ... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw and transfer the H.M.O.P.No.65 of 2019 on the file of Subordinate Judge, Tiruchendur, Tuticorin District to Family Court at Madurai.

For Petitioner : Mr.Ka.Raamakrishnan

For Respondent : No appearance

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw and transfer the H.M.O.P.No.65 of 2019 on the file of Subordinate Judge, Tiruchendur, Tuticorin District to Family Court at Madurai.

2.The respondent/ husband has filed H.M.O.P.No.65 of 2019 before the Sub Court, Tiruchendur, Tuticorin District, for restitution of conjugal rights.

3. The learned counsel for the petitioner submitted that the petitioner is having two children. The petitioner is depending on her parents for her day to day livelihood and the distance between Thoothukudi and Madurai is 150 kms. In such circumstances, it is very difficult to travel from Madurai to Thoothukudi for attending every hearing in H.M.O.P.No.65 of 2019 on the file of the Sub Court, Tiruchendur, Tuticorin District.

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the case and also considering the submissions made by the learned counsel for the petitioner, H.M.O.P.No. 65 of 2019 is withdrawn from the file of the Subordinate Court, Tiruchendur, Tuticorin District, and transferred to the file of the Family Court, Madurai for disposal as per law. The Subordinate Court, Tiruchendur, Tuticorin District, is directed to transmit the papers to the Family Court, Madurai, forthwith. The Judge, Family Court, Madurai, is directed to dispose H.M.O.P.No.65 of 2019 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-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

msa/cp

To:

1. The Subordinate Judge,
Tiruchendur, Tuticorin District.
2. The Judge,
Family Court, Madurai.

Order made in
Tr.C.M.P. (MD) No.202 of 2021
and
C.M.P. (MD) No.3866 of 2021
Dated: 17.06.2021

KM(CO)
TR(24.06.2021) 2P 3C