



WEB COPY

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.200 of 2021

and

C.M.P. (MD)No.3836 of 2021

Mathivani ... Petitioner/Respondent

-vs-

S.Murugesan ... Respondent/Petitioner

**PRAYER:** Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the H.M.O.P.No.14 of 2021 on the file of Sub Court, Sattur and transfer the same to the Sub Court, Thoothukudi.

For Petitioner : Mr.S.Pon Senthil Kumaran

For Respondent : No appearance

**O R D E R**

The present Transfer Civil Miscellaneous Petition is filed to withdraw H.M.O.P.No.14 of 2021 on the file of Sub Court, Sattur and transfer the same to the Sub Court, Thoothukudi.

2.The respondent/ husband has filed H.M.O.P.No.14 of 2021 before the Sub Court, Sattur, for divorce.

3. The learned counsel for the petitioner submitted that the petitioner along with her two children, who are in tender age, residing in her parental home at Thoothukudi. The distance between Sattur to Thoothukudi is 85 kms. The petitioner is working as a temporary staff in private hospital. In such circumstances, she could not able to appear before the Sub Court, Sattur, to contest the case. Therefore, the petitioner seeks to transfer the case in H.M.O.P.No.14 of 2021, on the file of Sub Court, Sattur to the file of Sub Court, Thoothukudi.

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the case and also considering the submissions made by the learned counsel for the petitioner, H.M.O.P.No.14 of 2021 is withdrawn from the file of the Sub Court, Sattur and transferred to the file of the Sub Court, Thoothukudi for disposal as per law. The learned Subordinate Judge, Sattur, is directed to transmit the papers to the Sub Court, Thoothukudi, forthwith. The learned Subordinate Judge, Thoothukudi, is directed to dispose H.M.O.P.No.14 of 2021 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 Subordinate Judge  
Sattur

2. The Subordinate Judge,  
Thoothukudi.

+1 CC to M/s.S.PONSENTHILKUMAR, Advocate ( SR-19684[F] dated 21/06/2021 )

Order made in  
**Tr.C.M.P. (MD) No.200 of 2021**

**and**  
**C.M.P. (MD)No.3836 of 2021**

Dated: 17.06.2021

SRK(CO)

TR(24.06.2021) 2P 4C