



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :29.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P. (MD) No.198 of 2021

and

C.M.P. (MD)No.3814 of 2021

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S.M.Jincy

... Petitioner/Respondent

-vs-

M.Ferdin Thomas

... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw and transfer of the I.D.O.P.No.46 of 2021 from the file of the Family Court, Chengalpet to the file of the Additional District Court, Padmanabhapuram.

For Petitioner : Mr.M.R.Sreenivasan

For Respondent : No appearance

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw and transfer of the I.D.O.P.No.46 of 2021 from the file of the Family Court, Chengalpet to the file of the Additional District Court, Padmanabhapuram.

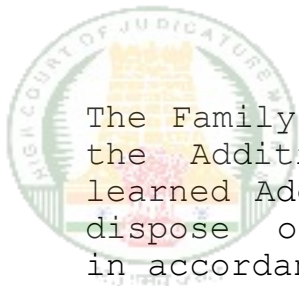
2.The respondent/ husband has filed I.D.O.P.No.46 of 2021 before the Family Court, Chengalpet for divorce.

3.The learned counsel for the petitioner/wife submitted that the petitioner is residing at Kulasekharam in Kanyakumari District and her parents are very aged persons and no one available to accompany with her for attending the Court hearings. The distance between Kulasekharam to Chengalpet is nearly 640 kms. In such circumstances, it is very difficult for the petitioner to travel from Kulasekharam to Chengalpet for attending every hearing in I.D.O.P.No.46 of 2021 on the file of the Family Court, Chengalpet.

4.Today, when the matter is taken up for hearing, there is no representation on behalf of the respondent.

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

6. Considering the facts and circumstances of the case and also considering the submissions made by the learned counsel for the petitioner, I.D.O.P.No.46 of 2021 is withdrawn from the file of the Family Court, Chengalpet and transferred to the file of the Additional District Court, Padmanabhapuram, for disposal as per law.



The Family Court, Chengalpet, is directed to transmit the papers to the Additional District Court, Padmanabhapuram, forthwith. The learned Additional District Judge, Padmanabhapuram, is directed to dispose of the proceedings in I.D.O.P.No.46 of 2021 on merits and in accordance with law as expeditiously as possible.

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

msa/cp

To:

1. The Family Court, Chengalpet.

2. The Additional District Judge, Padmanabhapuram,

+1 CC to M/s.M.R.SREENIVASAN, Advocate (SR-24487[F] dated 29/07/2021)

Tr.C.M.P. (MD) No.198 of 2021

and

C.M.P. (MD) No.3814 of 2021

Dated:

29.07.2021

SMV (CO)

KB (05.08.2021) 2P 4C