



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.207 of 2021

and C.M.P. (MD)No.4073 of 2021

WEB COPY

Sinduja

... Petitioner/Respondent

-vs-

S.Senthil Raja

... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the case in HMOP.No.63 of 2021 on the file of the Family Court, Dindigul and to transfer the same to Family Court, Coimbatore.

For Petitioner : Mr.D.Senthil

For Respondent : Mr.S.C.Herold Singh

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw the case in HMOP.No.63 of 2021 on the file of the Family Court, Dindigul and to transfer the same to Family Court, Coimbatore.

2.The learned counsel for the petitioner/wife submits that the respondent/husband has filed HMOP.No.63 of 2021 before the Family Court, Dindigul for restitution of conjugal rights. The petitioner/wife has filed DVOP.No.644 of 2019 before the learned Mahila Court cum Judicial Magistrate Court Coimbatore seeking protection against the respondent herein. It is further submitted that the petitioner is living with her old age parents at Coimbatore. The distance between Coimbatore and Dindigul is about 170 kms. In such circumstances, it is difficult for the petitioner to travel from Coimbatore to Dindigul for attending every hearing in HMOP.No.63 of 2021 on the file of the Family Court Dindigul. Hence, he prays to transfer the case to the file of Family Court, Coimbatore.

3.The learned counsel for the respondent submitted that the petitioner can very well afford for travelling from Coimbatore to Dindigul. Therefore, he has strongly objected to transfer the case.

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



5.Considering the facts and circumstances of the case and also considering the submissions made on either side, HMOP.No.63 of 2021 is withdrawn from the file of the Family Court, Dindigul and transferred to the file of the Family Court, Coimbatore for disposal as per law. The learned Family Court Judge, Dindigul is directed to transmit the papers to the Family Court, Coimbatore forthwith. The learned Family Court Judge, Coimbatore is directed to dispose H.M.O.P.No.63 of 2021 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(CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

gns

To

1. The Judge, Family Court,
Dindigul.

2.The Judge, Family Court,
Coimbatore.

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-20113[F] dated 24/06/2021)

Tr.C.M.P. (MD) No.207 of 2021
24.06.2021

MJ(CO)

TR(01.07.2021) 2P 4C