



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P. (MD) No.211 of 2021

and

C.M.P. (MD) No.4120 of 2021

WEB COPY

Geethasathya Prasanna Subramanian

... Petitioner/Respondent

-VS-

Prasanna Subramaniam.T
Son of Thangarajan
represented by his Power Agent,
Thiyagarajan
S/o.Subramani Iyer

... 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.51 of 2021 pending on the file of the Family Court, Dharmapuri and transfer the same to the file of the Family Court, Thanjavur by appreciating the above said facts and circumstances of the case.

For Petitioner : Mr.P.Samuel Gunasingh
For Respondent : Ms.Kavitha Deenadhayalan
for Mr.Mubarakjan

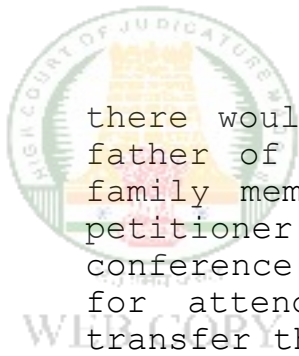
O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw the H.M.O.P.No.51 of 2021 pending on the file of the Family Court, Dharmapuri and transfer the same to the file of the Family Court, Thanjavur.

2.The respondent/ husband has filed H.M.O.P.No.51 of 2021 before the Family Court, Dharmapuri, for divorce.

3.The learned counsel for the petitioner/wife submitted that the petitioner is residing with her father along with a female child at Thanjavur and she has no source of income and she is depending on her parents for her daily needs and no one available to accompany with her for attending the Court hearing. The distance between Dharmapuri and Thanjavur is about 262 km. In such circumstances, it is very difficult for her to travel from Thanjavur to Dharmapuri for attending every hearing in H.M.O.P.No.51 of 2021.

4.The learned counsel for the respondent submitted that since the petitioner's father is an influential person at Thanjavur,



there would be life threat for the power of attorney, who is the father of the respondent, at the hands of the petitioner and her family members. The Family Court, Dharmapuri, has permitted the petitioner as well as the respondent to appear through video conference. Therefore, the petitioner need not travel to Dharmapuri for attending the Court hearings and she strongly opposed to transfer the case.

5. Considering the facts and circumstances of the case and also considering the submissions made on either side, H.M.O.P.No.51 of 2021 is withdrawn from the file of the Family Court, Dharmapuri and transferred to the file of the Family Court, Trichy, for disposal as per law. The Judge, Family Court, Dharmapuri, is directed to transmit the papers to the Family Court, Trichy, forthwith. The Judge, Family Court, Trichy, is directed to permit the petitioner as well as the respondent to appear through video conference and dispose of the proceedings in H.M.O.P.No.51 of 2021 on merits and in accordance with law as expeditiously as possible. However, both the parties are directed to appear through video conferencing, except the dates of hearing, on which, the learned Judge insisted upon the parties to appear before the Court.

6. In fine, this Transfer Civil Miscellaneous Petition is disposed of. 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 Judge, Family Court, Dharmapuri.

2. The Judge, Family Court, Trichy.

+1 CC to M/s.S.VIJAYAKUMAR, Advocate (SR-24871[F] dated 02/08/2021)

Tr.C.M.P. (MD) No.211 of 2021

and

C.M.P. (MD) No.4120 of 2021

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ARK (CO)

LR (10.08.2021) 2P 4C