



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :18.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Tr.C.M.P. (MD) No.249 of 2021

and

C.M.P. (MD)No.4778 of 2021

WEB COPY

K.Vijayapriya

... Petitioner/Respondent

Vs.

T.Manoj Prabhakar

... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 r/w.151 of the Code of Civil Procedure, to withdraw the case on the file of the Family Court, Thirunelveli, in H.M.O.P. No.184 of 2020 and transfer the same to the file of the Sub Court, Periyakulam or any other competent Court in Theni. Within the time stipulated by this Court.

For Petitioner : Mr.S.Malaikani

For Respondent : Mr.Manickam

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw the case on the file of the Family Court, Thirunelveli, in H.M.O.P. No.184 of 2020 and transfer the same to the file of the Sub Court, Periyakulam or any other competent Court in Theni.

2.The learned counsel for the petitioner would submit that the petitioner is the wife of the respondent and the marriage between the petitioner and the respondent was solemnized on 10.9.2017 at Palayamkottai as per Hindu rites and customs. After the marriage, the petitioner and the respondent were residing at Tharapuram. The respondent was working as a Manager in Canara Bank and thereafter, transferred to Tuticorin. Subsequently there was demand of dowry and respondents and his parents have attacked the petitioner on 21.08.2019 and 22.08.2019 and the petitioner sustained injury and took treatment as inpatient at Palayamkottai Government Hospital. Apprehending physical risk, the present petition has been filed seeking for transfer of petition.

3.Mr.Manickam, learned counsel for the respondent would submit that the respondent denies the allegation made in the petition. However, without prejudice, the respondent has no objection in the case being transferred to any Court in Madurai preferably to the Family Court, Madurai.



4.The learned counsel for the petitioner also agrees for the same.

5.Taking into consideration of the submission made by the learned counsel appearing on either side, the Transfer Civil Miscellaneous Petition is allowed and H.M.O.P. No.184 of 2020 is withdrawn from the file of Family Court, Thirunelveli and transferred to the file of the Family Court, Madurai, for disposal as per law. The Family Court, Thirunelveli, is directed to transmit the papers to the file of the Family Court, Madurai, forthwith. The Family Court, Madurai, is directed to dispose H.M.O.P. No.184 of 2020 on merits and in accordance with law, as expeditiously as possible. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1.The Family Court,
Thirunelveli.

2.The Family Court,
Madurai.

+1 CC to M/s.S.MALAIKANI, Advocate (SR-26686[F] dated 18/08/2021)

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18.08.2021

RS (02.09.2021) 2P 4C