



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.220 of 2021

and

C.M.P. (MD) No.4240 of 2021

P.Nirmaladevi

... Petitioner/Respondent

-vs-

M.Rajesh

... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the Divorce Petition in H.M.O.P.No.642 of 2020 from the Family Court, Madurai and to transfer the same to the Family Court, Thirupur District or any other competent Court within the limits of Thirupur District.

For Petitioner : Mr.M.Ponniah

For Respondent : No appearance

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw the Divorce Petition in H.M.O.P.No.642 of 2020 from the Family Court, Madurai and to transfer the same to the Family Court, Thirupur District or any other competent Court within the limits of Thirupur District.

2.The respondent/ husband has filed H.M.O.P.No.642 of 2020 before the Family Court, Madurai for divorce.

3. The learned counsel for the petitioner submitted that the petitioner is having a female child and he is studying 5th standard in Tirupur District. The petitioner is depending on her parents for her day today livelihood. The respondent/husband has not paid any maintenance amount. Moreover, the respondent threatened the petitioner not to attend the case at Madurai and therefore, there is no safety to the petitioner's life. Therefore, he prays before this Court to transfer the H.M.O.P.No.642 of 2020 from the Family Court, Madurai to the Family Court, Thirupur District.

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the case and also considering the submissions made by the learned counsel for the petitioner, H.M.O.P.No.642 of 2020 is withdrawn from the file of the Family Court, Madurai, and transferred to the file of the Family Court, Thirupur District for disposal as per law. The Judge, Family Court, Madurai, is directed to transmit the papers to the Family Court, Thirupur District, forthwith. The Judge, Family Court, Thirupur, is directed to dispose H.M.O.P.No.642 of 2020 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 (CSIII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Msa/cp

To:

1. The Judge, Family Court, Madurai.

2.The Judge, Family Court, Thirupur District.

+1 CC to M/s.M.PONNIAH, Advocate (SR-19441[F] dated 17/06/2021)

Order made in
Tr.C.M.P. (MD) No.220 of 2021
and
C.M.P. (MD)No.4240 of 2021

Dated:
17.06.2021

GS (24.06.2021) 2P 4C