



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :23.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P. (MD) No.235 of 2021

and C.M.P. (MD) Nos.4420 & 4421 of 2021

WEB COPY

Karthikeyani

... Petitioner/Respondent

-vs-

P.Duraiaraj

... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw and transfer the HMOP.No.42 of 2021 from the file of the learned Sub Court, Kulithalai to learned Sub Court, Tirumangalam.

For Petitioner : Mr.J.Jeyakumaran

For Respondent : No Appearance

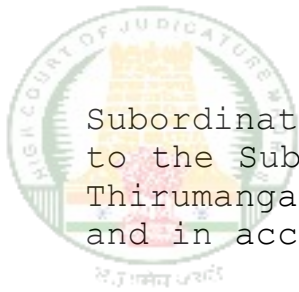
O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw and transfer the HMOP.No.42 of 2021 from the file of the learned Sub Court, Kulithalai to learned Sub Court, Tirumangalam.

2.The learned counsel for the petitioner/wife submits that the respondent/husband has filed HMOP.No.42 of 2021 before the Sub Court, Kulithalai for restitution of conjugal rights. It is further submitted that the petitioner is living with her age old mother at Peraiyur, Madurai District. She has no source of income and she depends on her parent for her day to day life. The distance between Madurai and Kulithalai is about 230 kms. In such circumstances, she cannot bare huge expenses for travel and therefore, it is difficult for the petitioner to travel from Madurai to Kulithali for attending every hearing in HMOP.No.42 of 2021 on the file of the Sub Court, Kulithalai. Hence, he seeks to transfer the case to the file of Sub Court, Tirumangalam.

3. 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.

4.Considering the facts and circumstances of the case and also considering the submissions made by the learned counsel for the petitioner, HMOP.No.42 of 2021 on the file of the Sub Court, Kulithalai is withdrawn and transferred to the file of the Sub Court, Tirumangalam for disposal as per law. The learned



Subordinate Judge, Kulithalai is directed to transmit the papers to the Sub Court, Thirumangalam, forthwith. The Subordinate Judge, Thirumangalam, is directed to dispose HMOP.No.42 of 2021 on merits and in accordance with law.

5. In fine, this petition is allowed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD II)

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Sub Assistant Registrar (CS)

gns

To

1. The Sub Judge,
Kulithalai

2. The Sub Judge,
Thirumangalam,

Tr.C.M.P. (MD) No.235 of 2021
23.06.2021

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