



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :22.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P. (MD) No.245 of 2021

and

C.M.P. (MD)No.4723 of 2021

Keerthana

... Petitioner/Respondent

-vs-

Ram Prakash

... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw H.M.O.P.No.32 of 2021 from the file of Family Court, Mannarkudi and to transfer the same to the file of Family Court, Madurai.

For Petitioner : Ms.G.K.Chitradevi

For Respondent : Mr.M.S.Jeyakarthick

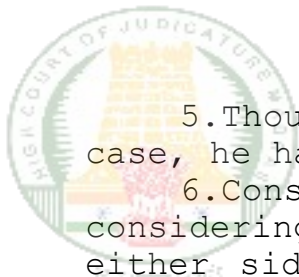
O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw H.M.O.P.No.32 of 2021 from the file of Family Court, Mannarkudi and to transfer the same to the file of Family Court, Madurai.

2.The respondent/husband has filed H.M.O.P.No.32 of 2021 before the Family Court, Mannarkudi, for divorce.

3. The learned counsel for the petitioner/wife submitted that the petitioner is residing at Madurai and she is the only daughter of her old aged parents. Moreover, the distance between Mannarkudi to Madurai is nearly 225 kms. In this circumstance, nobody is there to accompany with the petitioner to attend Court hearings in H.M.O.P.No.32 of 2021. Hence, he seeks to transfer the case to the file of Family Court, Madurai.

4.The learned counsel for the respondent/husband submitted that now the respondent has lost his job and he is depending upon his parents and in order to harass the respondent, the petitioner has filed the present petition. Moreover, the petitioner's family is having influence in political and police department and therefore, there is an every possibility of life threat at the hands of the petitioner and her family members. Hence, he strongly opposes to transfer the case. However, if this Court feels to transfer the case, the same may be transferred to any centre place.



5.Though the respondent has strongly opposed to transfer the case, he has not filed any document to show his contention.

6.Considering the facts and circumstances of the case and considering the submission made by the learned counsel appearing on either side, H.M.O.P.No.32 of 2021 is withdrawn from the file of Family Court, Mannarkudi and transfer to the file of Family Court, Madurai, for disposal as per law. The learned Judge, Family Court, Mannarkudi, is directed to transmit the papers to the file of the Family Court, Madurai, forthwith. The learned Judge, Family Court, Madurai, is directed to dispose of the proceedings in H.M.O.P.No.32 of 2021 on merits and in accordance with law as expeditiously as possible.

7.The personal appearance of both parties before the Family Court, Madurai, is dispensed with, except the dates of hearing, on which, the learned Judge insisted upon the parties to appear before the Court. On other hearing dates, the counsel on behalf of the parties may appear before the court.

8.In fine, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To:

1.The Judge, Family Court, Mannarkudi

2.The Judge, Family Court, Madurai.

+1 CC to M/s.G.K.CHITRA DEVI, Advocate (SR-23537[F] dated 22/07/2021)

+1 CC to M/s.M.S.JEYAKARTHICK, Advocate (SR-23587[F] dated 22/07/2021)

Tr.C.M.P. (MD) No.245 of 2021

and

C.M.P. (MD) No.4723 of 2021

Dated:

22.07.2021

MGJ(05.08.2021) 2P 5C