



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Tr.C.M.P. (MD) No. 270 of 2021

and

C.M.P(MD)No.5664 of 2021

WEB COPY

Kottaimarieswari

... Petitioner/Respondent

-Vs-

Veerakumar

... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the HMOP No.147 of 2020 on the file of the Subordinate Court, Uthamapalayam, Theni District and transfer the same to the Subordinate Court, Kovilpatti, Thoothukudi District.

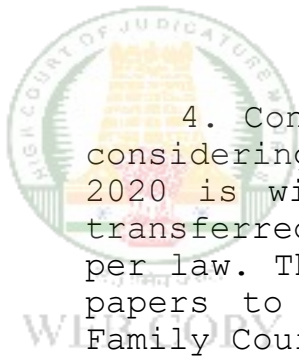
For Petitioner : Mr.P.Venkatesan
for Mr. S.Ramasamy
For Respondent : Mr.S.Chellapandian

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw the HMOP No.147 of 2020 on the file of the Subordinate Court, Uthamapalayam, Theni District and transfer the same to the Subordinate Court, Kovilpatti, Thoothukudi District.

2.The learned counsel for the petitioner would submit that the marriage between the petitioner and the respondent was solemnized on 25.03.2016 at Arulmighu Srivivinasa Perumal Thirukovil, K.K.Patti, Theni District as per hindu rites and customs. Out of the wedlock a male child was born on 20.12.2017. The respondent had filed a petition for divorce in HMOP No. 147 of 2020 on the file of the Sub Court, Uthamapalayam. The petitioner is now being taken care by her elder sister at Kovilpatti along with her minor child and she has to travel from Kovilpatti to Uthamapalayam which is about 150kms and she finds it very difficult to travel all the way from Kovilpatti to Uthamapalayam to attend the Court with her minor child.

3. The learned counsel for the respondent would submit that the petitioner is a permanent resident of Dindigul and only to harass the respondent she has filed the present petition. He would also submit that he has no objection in the case being transferred to the file of the Family Court, Madurai.



4. Considering the facts and circumstances of the case and also considering the submission made by both sides, H.M.O.P.No.147 of 2020 is withdrawn from the file of Sub Court, Uthamapalayam and transferred to the file of Family Court, Madurai, for disposal as per law. The Sub Court, Uthamapalayam, 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.147 of 2020 on merits and in accordance with law as expeditiously as possible preferably within a period of nine months from the date of receipt of a copy of this order.

5. In the result, 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)

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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, Madurai

2. The Sub Court, Uthamapalayam

Tr.C.M.P. (MD) No. 270 of 2021

and

C.M.P (MD) No. 5664 of 2021

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RD(13.09.2021) 2P 3C