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TR.CMP(MD).No.217 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.01.2021

CORAM :

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TR.CMP(MD).No.217 of 2020 and
CMP(MD).No.4824 of 2020

K. Abinaya

... Petitioner/Respondent

Vs.

R. Karthi

... Respondent/Petitioner

Prayer: Transfer CMP filed under Section 24 CPC to withdraw HMOP.No.182 of 2020 on the file of the Family Court, Madurai and transfer the same to the file of Sub Court, Kankeyam.

For petitioner : Mr.R. Ramasamy

For respondent : No appearance

ORDER

The petitioner / wife a resident of Vellakoil in Kangeyam Taluk, who is facing proceedings for divorce under Section 13(1) (i-a) of the Hindu Marriage Act, 1955, in HMOP.No. 182 of 2020, on the file of the Family Court at Madurai, seeks transfer of the same to the Sub Court, Kangeyam. Transfer is sought for mainly on the ground of convenience.

2. It is seen from the records that notice sent to the respondent / husband through RPAD was refused by him. Hence, the service is deemed to be completed.

3. Considering the fact that the petitioner / wife is a resident of Kangeyam Taluk and that the proceedings at Family Court require the parties' presence for every hearing, I am of the considered opinion that the transfer of HMOP.No.182 of 2020 from the file of Family Court, Madurai to the file of the Sub Court, Kankeyam, will met the ends of justice as the husband will not be required to be present for every hearing as in the case of Family Court.

4. In view of the same, the HMOP.No.182 of 2020 is withdrawn from the file of the Family Court, Madurai and transferred to the file of the Sub Court, Kangeyam to be heard and disposed of in accordance with law. The Family Court, Madurai is



directed to transmit the papers to the Sub Court, Kangayam forthwith. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-II)

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/ /2021

Sub Assistant Registrar(CS)

trp

To

1. The Judge, Family Court, Madurai.
2. The Judge, Sub Court, Kankeyam.

+1 CC to M/s.R.RAMA SAMY, Advocate (SR-827[F] dated 11/01/2021)

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sss(CO)

TR(05.02.2021) 2P 4C