



**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.216 of 2020 and**

**CMP (MD) .No.4802 of 2020**

**WEB COPY**

Gayathri

... Petitioner

-vs-

Murugan Karthik

.... Respondent

**PRAYER:** Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw and transfer the case in M.O.P.No.251 of 2020 on the file of the Family Judge, Pondicherry, to the file of the Sub Court, Tirumangalam.

For Petitioner : Mr.Aanath C.Rajesh

For Respondent : Mr.C.M.Arumugam

**O R D E R**

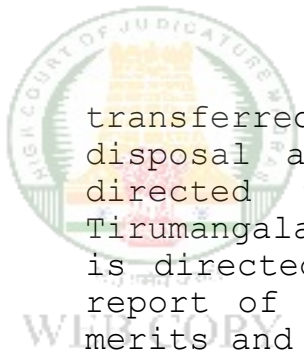
The present Transfer Civil Miscellaneous Petition is filed to withdraw and transfer the case in M.O.P.No.251 of 2020 on the file of the Family Judge, Pondicherry, to the file of the Sub Court, Tirumangalam.

2.The respondent/husband has filed M.O.P.No.251 of 2020 before the Family Court, Pondicherry, for dissolution of marriage.

3.The learned counsel for the petitioner/wife submitted that the petitioner is living with her parents and she has no source of income. Since the M.O.P is pending before the Family Court, the appearance of the petitioner is necessary for each and every hearings. Moreover, the distance between Madurai and Pondicherry is nearly 450 kms and no one available to accompany with her to travel for long distance except her parents. In such situation, it is difficult for the petitioner to attend every hearing in M.O.P.No.251 of 2020. Hence, he seeks to transfer the case to Tirumangalam.

4.The learned counsel for the respondent/husband strongly opposed to transfer the case to Tirumangalam. However, he submits that if the matter is referred to Mediation Centre, there could be amicable settlement before the parties.

5.Considering the facts and circumstances of the case and also considering the submissions made by both counsel, M.O.P.No.251 of 2020 is withdrawn from the file of the Family Court, Pondicherry and



transferred to the file of the Subordinate Court, Tirumangalam, for disposal as per law. The Judge, Family Court, Pondicherry, is directed to transmit the papers to the Subordinate Court, Tirumangalam, forthwith. The learned Subordinate Judge, Tirumangalam, is directed to refer the matter to mediation and on receiving the report of mediation, M.O.P.No.251 of 2020 shall be disposed of on merits and in accordance with law as expeditiously as possible.

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

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

msa/cp

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 Judge, Family Court, Pondicherry.
2. The Subordinate Judge, Tirumangalam.

+1 CC to M/s.C.M.ARUMUGHAM, Advocate ( SR-23743[F] dated 23/07/2021 )

+1 CC to M/s.ANANTH .C .RAJESH, Advocate ( SR-23744[F] dated 23/07/2021 )

**Tr.C.M.P. (MD) No.216 of 2020 and**  
**CMP (MD) .No.4802 of 2020**  
**22.07.2021**

RD(30.07.2021) 2P 5C