



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.02.2021

CORAM

THE HON'BLE MR.JUSTICE R.SUBRAMANIAN

Tr.C.M.P (MD)No.232 of 2020

and

C.M.P (MD) No.5248 of 2020

K.Renuka

... Petitioner/Respondent

-Vs-

Arunprasad

... Respondent /Petitioner

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw H.M.O.P.No.103 of 2020, pending on the file of the Subordinate Court, Theni and transfer the same to the Subordinate Court, Thirumangalam.

For Petitioner : Mr.S.Pakalavan
For Respondent : Mr.S.Vanchinathan

O R D E R

The petitioner/wife seeks transfer of H.M.O.P.No.103 of 2020, pending on the file of the Subordinate Court,Theni to the file of Subordinate Court, Thirumangalam.

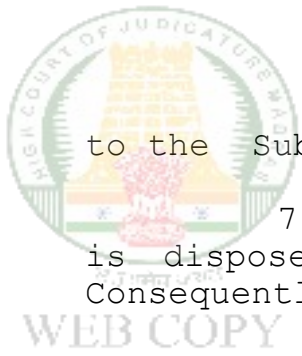
2.Transfer is sought for mainly on the ground of convenience since the wife is a resident of Thirumangalam.

3.The request of transfer was opposed by the respondent/husband, contending that there are already three cases pending in Thirumangalam and there is considerable strain in the relationship between the parties, which creates unpleasant situation that whenever he goes to Thirumangalam to attend those cases. It is also stated that the husband is working in Thada, near Chennai.

4.The learned counsel for the wife would also submit that she cannot go Theni, which is the native place of the husband, where she will have to face threat by the relatives of the husband.

5.Considering the submissions made by the counsel, I am of the opinion that H.M.O.P.No.103 of 2020 could be transferred to a neutral venue, namely, the Subordinate Court, Usilampatti, which is situated in between the two destinations, so that the parties would be able to attend the Court proceedings in a peaceful atmosphere.

6. Hence, H.M.O.P.No.103 of 2020, pending on the file of the Subordinate Court,Theni is withdrawn and transferred to the Subordinate Court, Usilampatti, to be disposed of in accordance with law. The Subordinate Court,Theni is directed to transmit the papers



to the Subordinate Court, Usilampatti forthwith.

7. Accordingly, this Transfer Civil Miscellaneous Petition is disposed of. However, there will be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CSIII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

- 1.The Subordinate Court,Theni
- 2.The Subordinate Court, Usilampatti
- 3.The Record Keeper, V.R.Section, (2C)
Madurai Bench of Madras High Court, Madurai.

Copy to

The Registrar Judicial,
Madurai Bench of Madras High Court,
Madurai.

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and
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