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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2021

CORAM

THE HON'BLE MR.JUSTICE R.SUBRAMANIAN

Tr.C.M.P(MD)No.235 of 2020

and

C.M.P(MD) No.5313 of 2020

A.Kavitha

... Petitioner/Respondent

-Vs-

A.Moovendhan

... Respondent /Petitioner

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw H.M.O.P.No.172 of 2020, pending on the file of the Family Court, Madurai and transfer the same to the Family Court, Trichy.

For Petitioner : Mr.V.Karthikeyan
For Respondent : Mr.C.Mayilvahana Rajendran

O R D E R

The wife, who is facing proceedings for divorce on the ground of cruelty in H.M.O.P.No.172 of 2020, on the file of the Family Court, Madurai, seeks transfer of the same to the file of the Family Court, Trichy.

2. Transfer is sought for only on the ground of convenience. Though the wife is shown as a resident of Pallathur, Sivagangai District in the original petition, it is now claimed that she is living with her parents at Trichy. Pass Book of the Bank Account of the mother of the petitioner opened during the year 2019, showing the address at Trichy has been produced. The husband, who was working in Karaikudi is now, admittedly, working in Mumbai.

3.The learned counsel for the husband would submit that transfer to Sub Court, where the parties are not required to appear for every hearing may be considered, as the husband is working in Mumbai. He would further submit that attending every hearing at the Family Court will cause considerable hardship to him.

4. I see justification in the request of the learned counsel for the respondent/husband. In view of the same, H.M.O.P.No.172 of 2020, is withdrawn from the file of the Family Court, Madurai and transferred to the file Principal Sub Court, Trichy, to be disposed of, in accordance with law. The Family Court, Madurai is directed to transmit the papers to the Principal Sub Court, Trichy forthwith.



5. 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 ()

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Sub Assistant Registrar(CS)

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To

1.The Family Court, Madurai

2.The Principal Sub Court, Trichy

3.The Record Keeper, V.R.Section, (2C)
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.C.MAYIL VAHANA RAJENDRAN, Advocate (SR-2778[F] dated 02/02/2021)

+1 CC to M/s.V.KARTHIKEYAN, Advocate (SR-2699[F] dated 02/02/2021)

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