



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :04.01.2021
CORAM

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
TR.C.M.P (MD)No.248 of 2020
and
C.M.P (MD) .No.5553 of 2020

Buvan Lojini

... Petitioner

vs.

Dinesh Rajan

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw H.M.O.P.No.503 of 2020, on the file of the Family Court, Madurai and transfer the same to the file of the Family Court, Dindigul.

For Petitioner	:	Mr.R.Senthilkumar
For Respondent	:	Mr.R.Selvaraj

ORDER

The wife seeks transfer of H.M.O.P.No.503 of 2020 filed by the husband before the Family Court, Madurai, seeking divorce on the ground of cruelty.

2.The transfer is sought for mainly on the ground of convenience as the wife is a resident of Dindugul.

3.The respondent/husband would oppose the claim contending that his life is in danger if he is to go to Dindugul for every hearing of H.M.O.P. It is also pleaded that the wife's father works as a Driver of the District Collector of Dindigul. The Court at Dindugul is situated within the Collectorate and hence, he is being threatened by her father, during every hearing. It is also pleaded that the wife and her family members had assaulted the husband and his family members and criminal cases are pending. It is also seen from the records that the proceedings under Section 498(A) of I.P.C as well as the proceedings under the Protection of Women from Domestic Violence Act, have been launched by the wife against the husband, apart from the maintenance case, which is said to be pending before the Family Court, Dindugul.

4.A wholesome view of the matter shows that all is not well with the parties and the proceedings and counter proceedings have been launched against each other making life miserable for both of them.

5.Considering the above, I am of the opinion that the matter can be transferred to Sub-Court, where the presence of the parties is not required. The apprehension expressed by the husband should



also to be taken note of. Hence, H.M.O.P.No.503 of 2020, pending on the file of the Family Court, Madurai, is withdrawn and transferred to the file of the Principal Sub- Court, Madurai, to be disposed of in accordance with law.

6. With the above direction, this petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

1.The Judge,Family Court,
Madurai.

2.The Principal Sub Judge,
Madurai.

+1 CC to M/s.R.SENTHIL KUMAR, Advocate (SR-157[F] dated
05/01/2021)

**TR.C.M.P (MD) No.248 of 2020
and**

**C.M.P (MD) .No.5553 of 2020
04.01.2021**

(KUN) CO

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