



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.11.2021

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THE HONOURABLE Ms.JUSTICE P.T.ASHA

TR.C.M.P. (MD) No.405 of 2021

and

C.M.P. (MD) No.7865 of 2021

B.Balasaraswathi ... Petitioner/Respondent

vs.

R.Balagurunathan ... Respondent/Petitioner

Prayer:- This Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the HMOP.No.89 of 2020 pending on the file of the Principal Sub Court, Valliyur, Tirunelveli District and to transfer the same to the Family Court, Thoothukudi.

For Petitioner : Mr.P.Banuprasath

For Respondent : Mr.R.Suriyanarayanan

ORDER

The above application has been filed by the petitioner/wife seeking transfer of HMOP.No.89 of 2020 pending on the file of the Principal Sub Court, Valliyur, Tirunelveli District to the file of Family Court, Thoothukudi.

2.The transfer is sought for on account of the fact that the petitioner is residing in Thoothukudi and she has to travel to Valliyur, Tirunelveli District to attend to the said petition and it is a fairly long distance.

3.The respondent has entered appearance through counsel.

4.The learned counsel for the respondent would submit that he has no objection to transfer the matter to the file of Sub Court, Tirunelveli. He would further submit that if the matter is transferred to the Family Court, Thoothukudi, the presence of the parties on every hearing would be necessary and therefore, the proceedings may be transferred to the file of Sub Court, Tirunelveli.



5.Considering the above submission, this Transfer Civil Miscellaneous Petition is allowed and the petition in HMOP.No.89 of 2020 pending on the file of the Principal Sub Court, Valliyur, Tirunelveli, is ordered to be withdrawn and transferred to the file of Sub Court, Tirunelveli. The learned Principal Subordinate Judge, Valliyur, Tirunelveli District, is directed to transmit the entire records of HMOP.No.89 of 2020 to the Sub Court, Tirunelveli, as expeditiously as possible. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

1.The Principal Subordinate Judge,
Valliyur,
Tirunelveli District.

2.The Subordinate Judge,
Valliyur,
Tirunelveli.

+1 CC to M/s.P.BANU PRASATH, Advocate (SR-33719[F] dated 08/11/2021)

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