



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2021

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

Tr.C.M.P. (MD) No.357 of 2021

and

C.M.P. (MD) No.7201 of 2021

Muthumari

... Petitioner

-vs-

M.Babu

... Respondent

Prayer :- Petition filed under Section 24 of Code of Civil Procedure, to withdraw the case in H.M.O.P.No.49 of 2020 pending on the file of the Subordinate Court, Muthukulathur, Ramanathapuram District and transfer the same to the file of Family Court, Srivilliputhur, Virudhunagar District.

For Petitioner : Mr.R.Prakash
For Respondent : Mr.K.R.Laxman

ORDER

The above petition is filed by the petitioner/wife seeking to transfer H.M.O.P.No.49 of 2020 pending on the file of the Sub Court, Muthukulathur, to the file of the Family Court at Srivilliputur.

2.The petitioner/wife sought to have the proceedings transferred on account of the fact that the husband has physically assaulted her when she had gone to attend the hearing and from that time, she has fear. That apart, the respondent has also not been maintaining the petitioner.

3.In these circumstances and in the interest of justice H.M.O.P.No.49 of 2020 pending on the file of the Sub Court, Muthukulathur, Ramanathapuram District, is withdrawn and transferred to the file Family Court, Srivilliputur, Virudhunagar District. Considering the fact that it is mandatory for the parties to be present before the Family Court, the presence of the husband is dispensed with and his presence shall be insisted only at the time of adducing evidence.

4.In the result, this Civil Revision Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



To

1.The Judge,
Family Court,
Srivilliputhur,
Virudhunagar District.

2.The Subordinate Judge,
Muthukulathur,
Ramanathapuram District.

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.

+1 CC to M/s.K.R.LAXMAN, Advocate (SR-39823[F] dated 21/12/2021)

Tr.C.M.P. (MD) No.357 of 2021

and

C.M.P. (MD) No.7201 of 2021

20.12.2021

SJ(CO)

KB(12.01.2022) 2P 4C