



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :08.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P. (MD) No.294 of 2020 and

CMP (MD) .No.6448 of 2020

WEB COPY

Ramya

... Petitioner/Respondent

-vs-

Selvaraj

... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the HMOP.No.625 of 2020 pending on the file of the Family Court at Thoothukudi and to transfer the same to the learned Subordinate Court, Perunthurai, Erode District.

For Petitioner : Mr.D.S.Haroon Rasheed

For Respondent : Mr.M.Lakshmi Mahendra

O R D E R

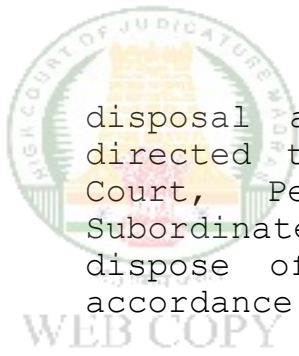
The present Transfer Civil Miscellaneous Petition is filed to withdraw the HMOP.No.625 of 2020 pending on the file of the Family Court at Thoothukudi and to transfer the same to the learned Subordinate Court, Perunthurai, Erode District.

2.The respondent/husband has filed HMOP.No.625 of 2020 before Family Court at Thoothukudi for restitution of conjugal rights.

3.The learned counsel for the petitioner/wife submitted that the petitioner is having a child and she is residing with her parental home at Erode. The distance between Erode and Thoothukudi is 350 kms. Since the respondent having a money power and influence, there would be a life threat at the hands of the respondent. Moreover, the petitioner has no source of income and she is depending on her parents for daily expenses. In such situation, it is difficult for attending every hearing in HMOP.No.625 of 2020 on the file of the Family Court at Thoothukudi. Therefore, he seeks to transfer the case to Erode.

4.The learned counsel for the respondent has opposed to transfer the case.

5. Considering the facts and circumstances of the case and considering the submission made by both counsel, HMOP.No.625 of 2020 is withdrawn from the Family Court at Thoothukudi and transferred to the file of Subordinate Court, Perunthurai, Erode District, for



disposal as per law. The Judge, Family Court, Thoothukudi, is directed to transmit the papers to the file of the Subordinate Court, Perunthurai, Erode District, forthwith. The learned Subordinate Judge, Perunthurai, Erode District, is directed to dispose of the case in HMOP.No.625 of 2020 on merits and in accordance with law as expeditiously as possible.

6.In fine, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

msa

To:

1. The Judge, Family Court, Thoothukudi.
2. The Subordinate Judge, Perunthurai, Erode District.

+1 CC to M/s.M.LAXMI MAHENDRAN, Advocate (SR-21804[F] dated 09/07/2021)

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LS (CO)

LR (15.07.2021) 2P 4C