



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.01.2021

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THE HONOURABLE MR. JUSTICE R. SUBRAMANIAN

TR.C.M.P (MD) No.276 of 2020

and

C.M.P (MD) .No.6203 of 2020

Karthigairaj

... Petitioner

vs.

Sathiyauthra Devi

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw H.M.O.P.No.171 of 2019, on the file of the Family Court, Ramanathapuram and transfer the same to the file of the Family Court, Sivagangai.

For Petitioner	:	Mr.C.Senthil Murugan
For Respondent	:	Mr.D.Balamurugapandi

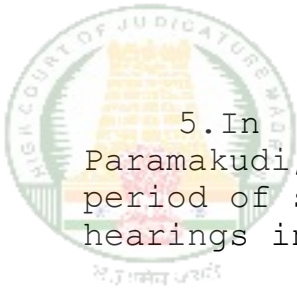
ORDER

The husband who has initiated proceedings in H.M.O.P.No.171 of 2019 on the file of the Family Court, Ramanathapuram, seeking divorce under Section 13(1)(i.a) of the Hindu Marriage Act, requests for transfer of the proceedings to any Court out side Ramanathapuram District.

2.The reason assigned is that the sister of the wife is a practising Advocate at Ramanathapuram and that he was assaulted by her brother and his friends, when he went to attend the hearing on 07.11.2020. An F.I.R was also lodged by him regarding the said assault. It is also claimed that the wife had poured hot water on the mother of the husband and another F.I.R was registered against the wife for the said occurrence.

3.Considering the above background, I am of the opinion that it will be fit and proper that the proceedings are transferred to the Sub-Court, where the appearance of the parties is not mandatory. Hence, H.M.O.P.No.171 of 2019 pending on the file of the Family Court, Ramanathapuram, is withdrawn and transferred to the file of the Sub Court, Paramakudi to be disposed of in accordance with law.

4.The learned counsel for the respondent/wife would submit that the respondent will not interfere with the Court proceedings before the Sub-Court, Paramakudi. It is seen from the E-Court case details filed by the petitioner that H.M.O.P.No.171 of 2019 was posted for evidence at-least on six occasions between October and November 2020.



5. In view of the same, the learned Subordinate Judge, Paramakudi, is directed to dispose of the said H.M.O.P within a period of six months from the date of resumption of regular physical hearings in the said Court.

6. In the result, 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,
Ramanathapuram.

2. The Sub Judge,
Paramakudi,
Ramanathapuram District.

Copy to:- The Registrar(Judicial) ,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.C.SENTHIL MURUGAN, Advocate (SR-386[F] dated
06/01/2021)

+1 CC to M/s.D.BALAMURUGA PANDI, Advocate (SR-22[F] dated
04/01/2021)

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