



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.02.2021

CORAM

THE HONOURABLE MR.JUSTICE **R. SUBRAMANIAN**

TR.C.M.P. (MD)No.299 of 2020

and

C.M.P. (MD)No.6483 of 2020

WEB COPY

V.Muthumariammal @ Reena : Petitioner / Respondent

Vs.

B.Rajaram : Respondent/ Petitioner

PRAYER:- The petition filed under Section 24 of the Civil Procedure Code, to withdraw the H.M.O.P.No.656 of 2020 on the file of the Family Court, Madurai and transfer to same to the file of the Family Court, Theni.

For Petitioner
For Respondent

:Mr.M.Ramesh
:Mr.R.Venkatesan

ORDER

The wife seeks transfer of H.M.O.P.No.656 of 2020 filed by the husband on the file of the Family Court, Madurai to Family Court at Theni.

2.Transfer is sought for mainly on the ground of convenience, since the wife is a resident of Uthamapalayam in Theni District. The husband is a resident of Madurai.

3.Mr.R.Venkatesan, learned Counsel for the respondent/husband would submit that if the proceedings are transferred from the Family Court, Madurai to Family Court, Theni, the respondent would be forced to travel to Theni for every hearing, as the proceedings before the Family Court requires the presence of the parties for each and every hearing.

4.The Court has to look into the convenience of the wife. At the same time, the inconvenience caused to the husband because of the transfer, cannot be totally ignored. Considering the same and in the view to balance the rights of the parties, I am of the opinion that the OP could be transferred to the Subordinate Court, Theni, which is also empowered to try and dispose of H.M.O.P., so that the inconvenience caused to both parties will be reduced to a larger extent.



5.In view of the same, H.M.O.P.No.656 of 2020 pending on the file of the Family Court, Madurai is withdrawn and transferred to the Subordinate Court, Theni, to be heard and disposed of in accordance with law.

6.Accordingly, this Transfer Civil Miscellaneous Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cmr

To

1.The Judge, the Family Court, Madurai.

2.The Judge, the Family Court, Theni.

3.The Subordinate Judge, Theni.

+1 CC to M/s.RIGHT LAW ASSOCIATES, Advocate (SR-5226[F] dated 15/02/2021)

+1 CC to Mr.M.RAMESH, Advocate (SR-5236[F] dated 15/02/2021)

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VB (01.03.2021) 2P 6C