



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2021

WEB COPY

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

Tr.C.M.P. (MD) No.465 of 2021

and

C.M.P. (MD) No.8893 of 2021

Lakshmi @ Priya ... Petitioner
-vs-
A.Arunkumar ... Respondent

Prayer :- Petition filed under Section 24 of Code of Civil Procedure, to transfer the case in H.M.O.P.No.174 of 2021 on the file of the learned Sub Court, Kovilpatty, Tuticorin District and transfer the same to the learned Family Court, Madurai.

For Petitioner : Mr.R.Shankar Ganesh
For Respondent : Mr.R.Vijayaraja

ORDER

The petitioner is the wife seeking transfer of the proceedings for divorce filed by the husband in H.M.O.P.No.174 of 2021 on the file of the Sub Court, Kovilpatti, Tuticorin District to the file of the Family Court at Madurai.

2.The petitioner would submit that she had suffered harassment both verbally as well as physically from her husband and his people, which had constrained her to file complaint against her husband and his family members. She is now residing with her aged parents and it would be difficult for her to travel to Kovilpatti, particularly, when the husband is not maintaining her.

3.In these circumstances, this Court is inclined to allow the transfer petition, considering the convenience of the wife and also the fact that the Family Court at Madurai has jurisdiction to entertain the application. Accordingly, this Transfer Civil Miscellaneous Petition is allowed and the petition in HMOP No.174 of 2021 pending on the file of the Sub Court, Kovilpatti, Tuticorin District, is withdrawn and transferred to the file of the Family Court, Madurai. 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. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

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Sub Assistant Registrar(CS)

cp

To

1.The Subordinate Judge,
Kovilpatti,
Tuticorin District.

2. The Judge,
Family Court,
Madurai.

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.R.SHANKAR GANESH, Advocate (SR-39849
[F] dated 21/12/2021)

+1 CC to M/s.J.VIJAYARAJA, Advocate (SR-39836[F]
dated 21/12/2021)

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KMV(CO)
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