



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2021

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

Tr.C.M.P. (MD) No.483 of 2021
and
C.M.P. (MD) No.9069 of 2021

Soundarya Meenakshi ... Petitioner/Respondent
-vs-
Parthasarathy ... Respondent/Petitioner

Prayer :- Petition filed under Section 24 of Code of Civil Procedure, to withdraw H.M.O.P.No.144 of 2021 on the file of Family Court, Ramanathapuram and transfer the same to the Family Court, Madurai.

For Petitioner : Mr.T.Antony Arul Raj
For Respondent : No appearance

ORDER

The above petition is filed by the petitioner/wife to transfer H.M.O.P.No.144 of 2021 pending on the file of the Family Court, Ramanathapuram to the file of the Family Court at Madurai.

2.In the affidavit filed in support of the petition, the petitioner would submit that she had gone through a very harrowing experience after her marriage, since right from the start, the respondent caused great deal of mental agony and hardship to the petitioner and she was subjected to physical abuse. Meanwhile, she had also conceived and in order to protect the child in her womb, she had to leave her matrimonial home and come to her parental house. Thereafter, the respondent came to Madurai and convinced her to return. The petitioner would submit that after she had returned once again, the harassment continued and she had also suffered ill-health during the pregnancy. With the very great difficulty, despite the lock down, the petitioner was brought to her parental home at Madurai where she gave birth to a girl baby on 11.07.2021.

3.The respondent also started spreading word that the petitioner was in a relationship with another person. This had caused a great deal of anxiety and mental agony to the petitioner. Meanwhile, the petition for restitution of conjugal rights, has been filed by the husband before the Family Court at Ramanathapuram.



The petitioner would submit that she is still feeding her child and she had to travel nearly 120 kms from Madurai to attend the hearing at Ramanathapuram, since the Court was a Family Court. In these circumstances, she sought for a transfer.

4. Heard the learned counsel for the petitioner and the respondent though served did not enter appearance.

5. Considering the grievance of the petitioner as set out in the affidavit, I am of the view that the Transfer Civil Miscellaneous Petition be allowed and H.M.O.P.No.144 of 2021 be transferred from the file of the Family Court, Ramanathapuram to the file of the Family Court, Madurai as the Family Court, Madurai, is also conferred with the jurisdiction.

6. In the result, this Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.144 of 2021 pending on the file of the Family Court, Ramanathapuram is withdrawn and transferred to the file of the Family Court, Madurai. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

cp

To

1. The Judge,
Family Court,
Ramanathapuram.

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.T.ANTONY ARULRAJ, Advocate (SR-39296[F] dated
17/12/2021)

WEB COPY

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SJ (CO)
KB (12.01.2022) 3P 4C