



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 02.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
TR CMP No.778 of 2021

G.M.Moneesha

... Petitioner

Vs

Anand

... Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, 1908, pleased to withdraw the H.M.O.P.No.109 of 2021 pending on the file of the Sub Court, Thiruvarur (Thiruvarur District) and transfer the same to the file of the Family Court, Nagaipattinam (Nagaipattinam District) to try along with H.M.O.P.No.50 of 2020.

For Petitioner : Mr.K.Pragadeesh Kumar

For Respondent : Mr.L.Ramu

O R D E R

The wife seeks transfer of HMOP.No.109 of 2021 pending on the file of the Sub Court, Thiruvarur to Family Court, Nagapattinam.

2. The learned counsel appearing for the petitioner wife would submit that the wife is a resident of Nagapattinam and husband is a resident of Thiruvarur. Though the places are not far of, according to the learned counsel for the petitioner, the respondent husband is stalking her whenever she goes to Thiruvarur to attend the case. It is also the claim of the wife that she had sought for a declaration relating to nullity of the marriage on the ground that the registration of the marriage itself is fraudulent.

3.The learned counsel appearing for the respondent husband would submit that he would explore the possibility of settlement of the matter since the parties are very young. Taking into consideration the over all circumstances and allegations made in the original petition as well as the affidavit filed in support of the Transfer Civil Miscellaneous Petition, HMOP.No.109 of 2021 is withdrawn from the file of Sub Court, Thiruvarur and transferred to the file of Sub Court, Nagapattinam, where



appearance of the parties is not compulsory. HMOP.No.109 of 2021 is also referred to the District Mediation Centre at Nagapattinam. The parties will appear before the District Mediation Centre at Nagapattinam on 28.02.2022 at 10.30 a.m. The District Mediation Centre will accommodate the parties and explore the possibility of settlement. If the Mediation fails, the Sub Court, Nagapattinam will proceed with the case on merits and dispose of the HMOP within a period of eight (8) months thereafter. The Sub Court, Thiruvarur is required to make out a copy of the relevant papers and forwarded to the District Mediation Centre, Nagapattinam before transferring the papers to the Sub Court, Nagapattinam.

4.This Transfer Civil Miscellaneous Petition is allowed. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

vs
To

1.The Judge,
Sub Court,
Thiruvarur.

2.The Judge,
Sub Court,
Nagapattinam.

3.The Secretary,
District Mediation Centre, Nagapattinam.

TR CMP No.778 of 2021

PMK(CO)
A.SK(25.02.2022)