



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.02.2022

CORAM :

THE HONOURABLE MRS.JUSTICE S.ANANTHI

Tr.C.M.P(MD).No.31 of 2022

J.Govindaraj

...Petitioner/Petitioner

Vs.

S.Abhinaya

...Respondent/Respondent

PRAYER: Civil Revision Petition filed under Section 24 of Civil Procedure Code, to withdraw the case in H.M.O.P.No.249 of 2021 on the file of the Family Court, Trichy and transfer the same to the Family Court, Madurai for further trial.

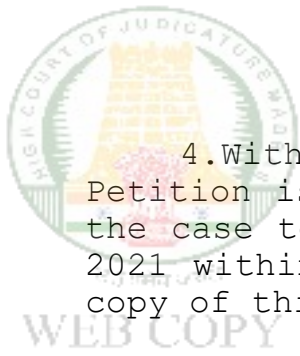
For Petitioner : Mr.V.Kannan

O R D E R

This Civil Revision Petition has been filed to withdraw the case in H.M.O.P.No.249 of 2021 on the file of the Family Court, Trichy and transfer the same to the Family Court, Madurai for further trial.

2.The learned counsel for the petitioner submitted that the petitioner/husband had filed a petition in H.M.O.P.No.85 of 2020 for divorce before the Subordinate Court, Sathyamangalam. Thereafter, the respondent/wife had filed a application in Tr.C.M.P.No.539 of 2020 before the Madras High Court, Chennai seeking transfer of the said H.M.O.P.No.85 of 2020 to the Family Court, Trichy and the same was allowed on 27.01.2021. The said H.M.O.P.No.85 of 2020 was renumbered as H.M.O.P.No.249 of 2021 before the Trichy and the same is still pending. He further submitted that the respondent/wife and her family members abused the petitioner and threatened him with dire consequence on numerous occasions. So, he is afraid to attend the said Court. Hence, he seeks transfer of the case.

3.A perusal of records would show that already this Court by order, dated 27.01.2021 in Tr.C.M.P(MD)No.539 of 2020 has transferred the case from Sathiyamangalam to Trichy. At that time the petitioner has not filed any revision against that order. After one year he has filed this petition to transfer the case from Family Court, Trichy to Family Court, Madurai and the reasons stated in the affidavit are not sufficient to transfer again. If there is any intimidation by the respondent and her family, the petitioner may give police complaint.



4. With the above observation, this Transfer Civil Miscellaneous Petition is dismissed. The Family Court, Trichy is directed to send the case to Mediation Centre and then to dispose the HMOP.No.249 of 2021 within a period of three months from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vsd

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.

To

The Family Court, Trichy

Tr.C.M.P(MD) .No.31 of 2022

09.02.2022

SS/25.02.2022 : 2P/2C