



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.03.2022

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE S.ANANTHI

Tr.C.M.P (MD) .No.112 of 2022

and

C.M.P (MD) No.2251 of 2022

Ananthavalli

...Petitioner/Respondent

Vs.

Thirukumar

...Respondent/Petitioner

PRAYER: This Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, to withdraw the case in H.M.O.P.No.09 of 2022 from the file of the Sub Court, Paramakudi and transfer the same to the file of the Sub Court, Manamadurai, Sivagangai District.

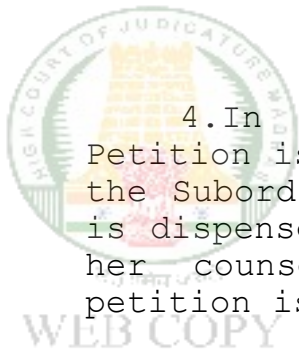
For Petitioner : Mr.A.Ariyabathiran

ORDER

This petition is filed to withdraw the case in H.M.O.P.No.09 of 2022 from the file of the Subordinate Court, Paramakudi and transfer the same to the file of the Subordinate Court, Manamadurai, Sivagangai District.

2.The learned counsel for the petitioner submitted that H.M.O.P.No.09 of 2022 was filed by the respondent/husband, for divorce before the Subordinate Court, Paramakudi, Ramanathapuram District. Since the petitioner is residing at Manamadurai, Sivagangai District along with her 14 years old son and her aged parents, she is not able to travel from Manamadurai to Paramakudi to attend the Court hearings. Hence, she seeks transfer of the case as prayed for.

3.I have considered the rival submissions made by the learned counsel for the petitioner and perused the materials placed before this Court. Since the petitioner/wife is residing at Manamadurai, the distance between the Subordinate Court, Paramakudi and Manamadurai is nearly 35 kilometers, the petition in H.M.O.P.No.09 of 2022 cannot be transferred from the file of the Subordinate Court, Paramakudi to the file of the Sub Court, Manamadurai, Sivagangai District.



4.In view of the above, this Transfer Civil Miscellaneous Petition is dismissed. Since H.M.O.P.No.09 of 2022 is pending before the Subordinate Court, Paramakudi, the appearance of the petitioner is dispensed with and the petitioner is permitted to appear through her counsel. No costs. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-II)

// 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

- 1.The Subordinate Judge,
Paramakudi
- 2.The Subordinate Judge,
Manamadurai,
Sivagangai District.

Tr.C.M.P (MD) .No.112 of 2022
and
C.M.P (MD) No.2251 of 2022
18.03.2022

NA (CO)
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