



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Tr.C.M.P. (MD)No.167 of 2022

and

C.M.P. (MD)No.3045 of 2022

WEB COPY

S.Kannathal @ Krithika

... Petitioner

versus

V.Kathiresan

... Respondent

Petition filed under Section 24 r/w. 151 of C.P.C. seeking to withdraw the case on the file of the Family Court, Sivagangai in H.M.O.P.No.316 of 2021 and transfer the same to the Family Court, Madurai.

For Petitioner : Ms.S.Prabha
for Mr.P.Balasubramanian
For Respondent : Mr.R.Suriya Narayanan

ORDER

This Transfer Civil Miscellaneous Petition is filed by the petitioner/wife for transferring the case in H.M.O.P.No.316 of 2021 pending on the file of the Family Court, Sivagangai to the Family Court, Madurai.

2. The learned counsel appearing for the petitioner submits that the marriage between the petitioner and the respondent was solemnized on 01.07.2018 and out of the wedlock, a female child was born on 28.06.2019. Due to some misunderstanding, now, they are living separately. Thereafter, the petitioner/wife filed a petition for maintenance in Cr.M.P.No.17231 of 2021, before the learned Judicial Magistrate No.VI, Madurai. On receipt of the notice in the said proceedings, the respondent/husband filed a petition for divorce before the Family Court, Sivagangai and the same is pending in H.M.O.P.No.316 of 2021.

3. The learned counsel appearing for the petitioner further submits that since the petitioner is living separately along with her three year old child without any support, it will be very difficult for her to appear before the Family Court, Sivagangai and contest the case effectively. Hence, she seeks transfer of H.M.O.P.No.316 of 2021 from the Family Court, Sivagangai to the Family Court, Madurai.

4. The learned counsel for the respondent submits that he is not having any objection for transferring H.M.O.P.No.316 of 2021 from the Family Court, Sivagangai to the Family Court, Madurai.



5. In view of the above, the Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No. 316 of 2021 pending on the file of the Family Court, Sivagangai is withdrawn and transferred to the Family Court, Madurai. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

1. The Judge,
Family Court,
Sivagangai.

2. The Judge,
Family Court,
Madurai.

Tr.C.M.P. (MD) No.167 of 2022
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