



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.02.2022

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

Tr.C.M.P. (MD) No.409 of 2021

and

C.M.P. (MD) No.7906 of 2021

B.Ramalakshmi

.. Petitioner

-vs-

K.A.Vijay Parthasarathy

.. Respondent

Prayer :- Petition filed under Section 24 of Code of Civil Procedure, to withdraw HMOP No.777 of 2021 on the file of the Family Court, Madurai and transfer the same to the file of Principal Subordinate Court, Tenkasi.

For Petitioner : Mr.R.J.Karthick

For Respondent : Mr.R.Rajamohan

ORDER

The above petition is filed for transferring the proceedings filed by the husband for divorce in HMOP No.777 of 2021 on the file of the Family Court, Madurai to the file of the Principal Subordinate Court, Tenkasi.

2.A reading of the affidavit filed in support of the transfer petition would indicate that to date the husband has not given any maintenance amount to the wife. The petitioner is dependent on her parents for her day-to-day living and her father is the retired Teacher. She has to travel for every hearing to Madurai, since the matter is pending before the Family Court. This Court had attempted to send the parties for counseling before the Family Court at Maduari. However, nothing worthwhile transpired on the last occasion. The respondent has stated that he is willing to take back his wife and the wife expressed her willingness for reunion, but such offer appears to be lip service, since the respondent has not taken steps to take back the wife.

3.Considering the fact that the husband has not chosen to maintain his wife and the wife is totally dependent on her parents for her day-to-day expenses, this transfer civil miscellaneous petition is allowed and the petition in H.M.O.P.No.777 of 2021



pending on the file of the Family Court, Madurai is withdrawn and transferred to the file of the Principal Subordinate Court, Tenkasi. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Deputy Registrar (A/c)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

cp

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 Judge,
Family Court,
Madurai.

2.The Principal Subordinate Judge,
Tenkasi.

+1 CC to M/s.R.RAJAMOHAN, Advocate (SR-3928[F] dated 03/02/2022)

Tr.C.M.P.(MD) No.409 of 2021

and

C.M.P.(MD) No.7906 of 2021

Dated: 03.02.2022

VR (CO)

GC (24.02.2022) 2P 4C