



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.01.2022

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

Tr.C.M.P. (MD) No.485 of 2021
and
C.M.P. (MD) No.9088 of 2021

R.Pandi @ Muthupandi ... Petitioner/Petitioner
-vs-
M.Saranya ... Respondent/Respondent

Prayer: Petition filed under Section 24 of Code of Civil Procedure, to withdraw the HMOP.No.226/2021 from the file of the Family Court, Tiruppur and to transfer the same to the file of the Family Court, Dindigul.

For Petitioner : Mr.K.Guhan

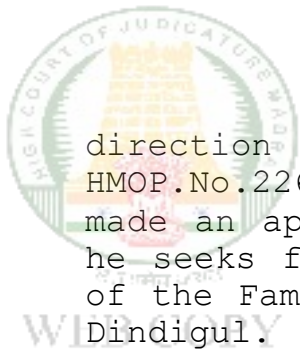
For Respondent : Mr.M.Veilkani Raju

ORDER

The husband has filed this transfer CMP seeking to transfer the HMOP.No.226/2021 pending on the file of the Family Court at Tiruppur to the Family Court at Dindigul.

2. The petitioner / husband would submit that he had filed a petition in HMOP.No.301/2018 for divorce on the ground of cruelty and desertion against the respondent herein to dissolve the marriage solemnized between them on 30.01.2012. The petition was transferred to the file of the First Additional Sub Court, Melur and renumbered as HMOP.No.78/2019. Subsequently, the petition was transferred to the file of Family Court at Tiruppur on the petition filed by the respondent / wife before this Court in Tr.CMP(MD)No.247/2020, and renumbered as HMOP.No.226/2021. The said transfer petition was ordered by consent. The petitioner / husband would submit that the respondent / wife has also filed MC.No.5/2019 on the file of the Chief Judicial Magistrate, Tiruppur, which was transferred to the Family Court at Tiruppur and re-numbered as MC.No.6/2020.

3. The petitioner / husband has now come forward with the present Transfer CMP on the ground that the Family Judge, Tiruppur was not inclined to dispose of both the HMOP as well as the maintenance case and the learned Judge has flouted the earlier



direction given by this Court directing an early disposal of HMOP.No.226/2021. In fact, the petitioner would submit that he had made an application to the District Judge, Tiruppur and therefore, he seeks for transfer of this HMOP.No.226/2021 pending on the file of the Family Court at Tiruppur to the file of the Family Court at Dindigul.

4. A report has been received from the learned District Judge, Family Court at Tiruppur stating that she has taken charge of the Family Court only on 15.06.2021 and in addition to the Family Court, she had to take care of two other additional Courts and therefore, she was not able to dispose the HMOP as directed by this Court.

5. I have perused this report and considering the fact that the only grievance is that the learned Judge has not proceeded to dispose the matter, I have taken into consideration that the newly appointed Judge has by her letter dated 12.11.2021 undertaken to dispose the HMOP at the earliest. Therefore, no further orders is required and the present transfer CMP is accordingly dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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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, Tiruppur.

2.The Judge,
Family Court, Dindigul.

+1 CC to M/s.K.GUHAN, Advocate (SR-1049[F] dated 10/01/2022)

Tr.C.M.P. (MD) No.485 of 2021

MGJ(14.02.2022) 2P 4C