



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.01.2022

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

Tr.C.M.P. (MD) No.580 of 2021
and
C.M.P. (MD) No.10446 of 2021

S.Preethi ... Petitioner
-vs-
V.Aljin ... Respondent

Prayer :- Petition filed under Section 24 of Code of Civil Procedure, to withdraw the case in I.D.O.P.No.1296 of 2021 from the Court of the Family Judge, Nagercoil, Kanyakumari District and transfer the same to the Family Court, Srivilliputtur, Virudhunagar District.

For Petitioner : Mr.M.Jothi Basu

For Respondent : Mr.V.Meenakshisundaram for
Mr.D.Nallathambi

ORDER

The petitioner/wife has moved this Court for transferring IDOP No.1296 of 2021 pending on the file of the Family Court, Nagercoil, Kanyakumari District to the file of the Family Court, Srivilliputtur, Virudhunagar District.

2.The reason for seeking transfer as follows:-

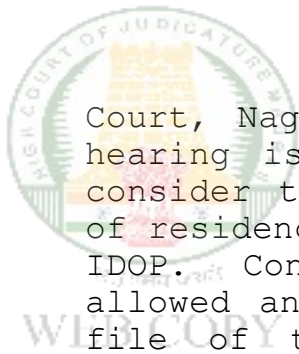
a) the petitioner is now living with her parents at Virudhunagar and the distance between Virudhunagar and Nagercoil is over 400 kms.

b) the petitioner cannot travel by herself and would require the assistance of the other person.

c) the petitioner has also sustained an injury on her left leg for which she is undergoing treatment.

3.The respondent is represented by counsel. Heard the learned counsel appearing on either side and perused the records.

4. The reasons given in the affidavit filed in support of the transfer civil miscellaneous petition appears to be reasonable and justified and further the matter is now pending before the Family



Court, Nagercoil, where the presence of the petitioner for every hearing is imperative. In these circumstance, the Court has to consider the convenience of the wife, particularly, when the place of residence of the wife is also vested with the jurisdiction to try IDOP. Consequently, this Transfer Civil Miscellaneous Petition is allowed and the petition in IDOP No.1296 of 2021 pending on the file of the Family Court, Nagercoil, Kanyakumari District, is withdrawn and transferred to the file of the Family Court, Srivilliputtur, Virudhunagar District. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (W)

// 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,
Nagercoil, Kanyakumari District

2.The Judge,
Family Court,
Srivilliputtur,
Virudhunagar District.

+1 CC to M/s.G.M.LAW OFFICE, Advocate (SR-2289[F] dated 25/01/2022)

+1 CC to M/s.D.NALLATHAMBI, Advocate (SR-2451[F] dated 25/01/2022)

Tr.C.M.P.(MD) No.580 of 2021 and
C.M.P.(MD) No.10446 of 2021

Dated: 24.01.2022

RD(15.02.2022) 2P 5C