



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.01.2022

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

Tr.C.M.P. (MD) No.599 of 2021
and
C.M.P. (MD) No.10848 of 2021

N.Priyanka .. Petitioner/Respondent

-vs-

G.Sankar .. Respondent/Petitioner

Prayer :- Petition filed under Section 24 Civil Procedure Code to withdraw H.M.O.P.No.328 of 2019 on the file of the Family Court, Dindigul and transfer the same to the file of the Sub Court, Palani.

For Petitioner : Mr.C.M.Mari Chelliah Prabhu

For Respondent : No appearance

ORDER

The wife is the petitioner before this Court seeking transfer of H.M.O.P.No.328 of 2019 filed by the respondent-husband on the file of the Family Court, Dindigul to the Principal Sub Court, Palani.

2.The respondent, though served, has not entered appearance either in person or through pleader.

3.A perusal of the affidavit filed in support of the petition would show that the petitioner has been sent back to her parental home along with her minor child, who is just three years old. The respondent/husband is also not giving any maintenance and since the matter is pending before the Family Court, Dindigul, the wife could have to travel to Dindigul for every hearing, which would cause a lot of hardship to her both financially as well as physically and that apart, the child would also have to travel with her. In these circumstances, this Court is of the view that the transfer has to be ordered.

4.In the result, this Transfer Civil Miscellaneous Petition is allowed and accordingly, H.M.O.P.No.328 of 2019 is withdrawn from



the file of the Family Court, Dindigul and transferred to the file of the Principal Sub Court, Palani. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

abr

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,Dindigul.

2.The Principal Sub Judge,Palani.

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Dated: 25.01.2022

MGJ(14.02.2022) 2P 3C