



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.611 of 2021
and
C.M.P. (MD) No.11034 of 2021

Uma Maheswari ... Petitioner/Respondent

-vs-

S.Surya Raj ... Respondent/Petitioner

Prayer :- Petition filed under Section 24 of Code of Civil Procedure, to withdraw the HMOP.No.1115 of 2021 from the file of the Family Court, Madurai and transfer the same to the file of the Family Court, Sivagangai for trial.

For Petitioner : Mr.G.K.Chitradevi

ORDER

The wife is the petitioner before this Court seeking transfer of HMOP No.1115 of 2021 filed by the respondent/husband on the file of the Sub Court at Madurai to the Family Court at Sivagangai.

2.It is her contention that originally she had been living with her husband in USA where he was employed. Right from the beginning, her in-laws were demanding her to give up her jewellery as they had to meet certain debts. This was not accepted by the petitioner and therefore, the issue is cropped up in her married life. She would submit that after the birth of her second child, her husband behaviour had gone from bad to worst and ultimately, she and her children were thrown out from their house and there was a physical threat from her in-laws. The petitioner would submit that though she has been sent out with the children, her husband has not been maintaining her. That apart, since the proceedings is now before the Family Court, Madurai, she has to attend every hearing and she is now residing along with her parents at Sivagangai. Therefore, she sought for the transfer.

3.The Court notice which has been issued to the respondent has been returned with an endorsement 'intimation served' and it would also reflect that on two occasions the postman has visited the address of the respondent and ultimately cover has been returned,

<https://hcservices.ecourts.gov.in/hcservices/>



after intimation has been given to the respondent. Therefore, service is deemed to be effected on the respondent.

4.Considering the fact that the reasons given by the petitioner are sufficient and also taking into account the fact that the proceedings are now before the Family Court, Madurai, where the petitioner has to appear for every hearing, this Transfer Civil Miscellaneous Petition is allowed and the petition in HMOP No.1115 of 2021 pending on the file of the Family Court, Madurai, is withdrawn and transferred to the file of the Family Court, Sivagangai. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-)

// 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 Judge,
Family Court,
Sivagangai

+1 CC to M/s.C.K.CHITRA DEVI, Advocate (SR-2420[F] dated 25/01/2022)

Tr.C.M.P. (MD) No.611 of 2021

and

C.M.P. (MD) No.11034 of 2021

Dated: 24.01.2022

ck(CO)

TR(10.02.2022) 2P 4C