

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.03.2023

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

Tr.C.M.P.(MD)No.14 of 2023

and

C.M.P.(MD)No.260 of 2023

J.Lincia Roslin Mary

.. Petitioner

Versus

J.Maria Jose

.. Respondent

Prayer :- Petition filed under Section 24 of the Code of Civil Procedure, to withdraw I.D.O.P.No.163 of 2022, from the file of the Family Court, Cuddalore and transfer the same to the file of the Family Court, Dindigul.

For Petitioner : Mr.J.Thomas Rajadurai

For Respondent : Mr.T.N.Bharath Nachiappan

ORDER

This Petition has been filed to withdraw I.D.O.P.No.163 of 2022, from the file of the Family Court, Cuddalore and transfer the same to the file of the Family Court, Dindigul.

2. The petitioner has stated that she is now residing at Adiyanoothu, Dindigul District and that the distance between Adiyanoothu and Cuddalore, where I.D.O.P.No.163 of 2022 is pending, is about 650 Kilometers to and fro. The petitioner has also pleaded that there is no male member in her family to travel with her to Cuddalore for each and every hearing.

3. The learned counsel for the respondent submits that the respondent has no objection for transferring the I.D.O.P. to Dindigul. He further submits that the presence of the respondent before the Court below may be dispensed with for routine hearings.

4. I have considered the arguments advanced by the learned counsel for the petitioner and the learned counsel for the respondent.

5. Being satisfied with the reasons stated in the affidavit filed in support of the petition, this Transfer Civil Miscellaneous Petition is allowed, by directing the learned Judge, Family Court, Cuddalore, to transfer I.D.O.P.No.163 of 2022 to the Family Court, Dindigul. The learned Judge, Family Court, Dindigul, may endeavour to dispose of I.D.O.P.No.163 of 2022, on it being re-numbered, as expeditiously as possible, preferably, within a period of 12 months from the date of receipt of a copy of this order. The presence of the respondent before the Family Court, Dindigul,

shall stand dispensed with for routine hearings except those days when his presence is mandatorily required before it. No costs. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
smn2
To

29.03.2023

1.The Judge,
Family Court,
Cuddalore.

2.The Judge,
Family Court,
Dindigul.

Tr.C.M.P.(MD)No.14 of 2023

C.SARAVANAN, J.

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Order made in
Tr.C.M.P.(MD)No.14 of 2023

29.03.2023