



Tr.C.M.P(MD)No.172 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.04.2023**

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

Tr.C.M.P(MD)No.172 of 2023

and

C.M.P(MD)No.3765 of 2023

S.Nanthini

...Petitioner/
Respondent

Vs.

K.Arun

...Respondent/
Petitioner

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, to withdraw the H.M.O.P.No.22 of 2023 on the file of the Family Court, Pudukkottai and transfer the same to the Family Court, Thanjavur.

For Petitioner : Mr.A.Senthilkumar

For Respondent : No Appearance

ORDER

The present transfer civil miscellaneous petition has been filed to transfer H.M.O.P.No.22 of 2023 on the file of the Family Court, Pudukkottai to the file of the Family Court, Thanjavur.



Tr.C.M.P(MD)No.172 of 2023

WEB COPY

2. Though the respondent has been served, there is no appearance either in person or through counsel. The name of the respondent is also printed in the cause list.

3. The petitioner in her affidavit filed in support of the petition stated as follows:

" 6. I and my minor child live with the old aged mother and the support of her earnings, so she is getting the struggle for day to day needs of me and my 6 month old minor child.

7. I further respectfully submit that I have received summon from Family Court, Pudukkottai in H.M.O.P.No.22 of 2023 and posted the hearing on 11.03.2023 and since, I am residing at Manojipatti, Thanjavur District. I am staying alone with my old aged mother with my 6 month old minor child, I am not in a position to travel without assistance of my old aged parents and conduct a case at Family Court, at Pudukkottai with effectively and further between Thanjavur to Pudukkottai nearly 160 Kilometers up and down.

8. Hence, I cannot actively participate in the proceeding, if it is conducted in Pudukkottai and also I advised to submit the Section 19 of Hindu Marriage Act contemplates that the divorce petition can be filed only at the place, where the wife is resided and law does not permit him to file the divorce petition for his convenience. In order to harassing me he filed a petition before Family Court Pudukkottai."

4. Being satisfied with the reasons given in the affidavit filed in support of the petition, I am inclined to allow the present Transfer Civil



Tr.C.M.P(MD)No.172 of 2023

Miscellaneous Petition. Thus, the present Transfer Civil Miscellaneous Petition stands allowed by transferring H.M.O.P.No.22 of 2023 on the file of the Family Court, Pudukkottai to the file of the Family Court, Thanjavur. No costs. Consequently, connected miscellaneous petition is closed.

25.04.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

sn

To

- 1.The Family Court, Pudukkottai.
- 2.The Family Court, Thanjavur.
- 3.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Tr.C.M.P(MD)No.172 of 2023

C.SARAVANAN ,J.

SN

=

Tr.C.M.P(MD)No.172 of 2023

25.04.2023