



TR.C.M.P.(MD) No.195 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.06.2023

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THE HONOURABLE **MR.JUSTICE C.SARAVANAN**

TR.C.M.P.(MD) No.195 of 2023

and

C.M.P.(MD) No.4222 of 2023

S.Viji

... Petitioner

Vs.

Logeshwaran

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, 1908, to withdraw the case in H.M.O.P.No.39 of 2023 pending on the file of the Family Court, Theni and transfer the same to the Family Court, Madurai or any other competent court in Madurai.

For Petitioner : Mr.R.Senthil Kumar

For Respondent : No appearance

ORDER

Notice being served on the sole respondent and name being printed in the cause list, there is no representation on behalf of the respondent.



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WEB COPY 2. This Transfer Civil Miscellaneous Petition has been filed to transfer H.M.O.P.No.39 of 2023 from the Family Court, Theni to the Family Court, Madurai or any other competent court in Madurai.

3. In the affidavit filed in support of the present Transfer Civil Miscellaneous Petition, the petitioner has stated as follows:-

7. I humbly submit that currently I am residing in my parent's house at Madurai and leading a very pathetic life with my two minor children. Further I humbly submit that in spite of all these harassments and mental tortures, I am still willing to live with the respondent but the respondent without even caring me and the children has filed the above divorce petition in H.M.O.P.No.39 of 2023 before the Learned Family Court, Theni seeking for divorce under section 13(1)(i-a) of Hindu Marriage Act, 1955 and the same was posted for hearing on 27.03.2023. Further the distance between the Madurai to Theni is more than 75 kms on one side and so for to and fro it is nearly above 150 kms. Being a woman with two minor children it is very difficult for me attend every Court hearings at Theni and I am not having income to spend on transportation to attend Court hearings as I am depend on my father's pension but the respondent is working in Palani Corporation and leading a lavish life without even considering my pathetic situation.



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8. I humbly submit that even I am having apprehension of my life and limb if I travel alone to attend the Court hearings and hence it is thus just and necessary that this Honourable Court may be pleased to transfer the above petition in H.M.O.P.No.39 of 2023 on the file of the Learned Family Court, Theni to the Learned Family Court, Madurai otherwise I will be put to great loss and hardship.

4. Being satisfied with the above reasons, I am inclined to allow this Transfer Civil Miscellaneous Petition. Therefore, H.M.O.P.No.39 of 2023 is directed to be transferred from the Family Court, Theni to the Family Court, Madurai.

5. Accordingly, this Transfer Civil Miscellaneous Petition is allowed. No cost. Consequently, connected Miscellaneous Petition is closed.

15.06.2023

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

- 1.The Family Court, Theni.
- 2.The Family Court, Madurai.



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C.SARAVANAN, J.

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