



Tr.C.M.P(MD).No.200 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.12.2023

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Tr.C.M.P (MD).No.200 of 2023

and

C.M.P.(MD)No.4347 of 2023

Vanitha : Petitioner/Respondent

Vs.

A.Latchumanan : Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 r/w 151 of Civil Procedure Code, to withdraw the case in H.M.O.P.No.7 of 2023 pending on the file of the Sub Court, Bavani and transfer the same to the file of the Family Court, Karur.

For Petitioner : Mr.M.Karthik

For Respondent : Mr.P.Muthukumarasamy

ORDER

The Transfer Civil Miscellaneous Petition has been filed seeking orders to withdraw and transfer the case in H.M.O.P.No.7 of 2023 on the file of the Sub Court, Bavani to the Family Court, Karur.



Tr.C.M.P(MD).No.200 of 2023

2. It is seen from the records that the marriage between the parties was solemnized on 26.06.2010 and they were blessed with two children.

3. The learned counsel for the petitioner would submit that the petitioner is working in Transport Corporation at Coimabatore, but she is residing in Karur along with her female child and that the respondent is running a medical shop in Erode.

4. The learned counsel for the respondent would submit that the respondent is taking care of his son, who is mentally retarded child, whereas, according to the learned counsel for the petitioner, the daughter of the parties is also suffering from fits and seizure.

5. The learned counsel for the petitioner would submit that it is very difficult to travel from Karur to Bavani to attend the Court as she is taking care of her ill-health daughter.

5. Considering the facts and circumstances of the case and also taking note of the residence of the petitioner, this Court is inclined to allow the petition.



Tr.C.M.P(MD).No.200 of 2023

WEB COPY

6. Accordingly, the Transfer Civil Miscellaneous Petition is allowed.

The case in H.M.O.P.No.7 of 2023 on the file of the Sub Court, Bavani, is hereby withdrawn and transferred to the file of the Sub Court, Karur. The learned Subordinate Judge, Bavani, is directed to send the records relating the case in H.M.O.P.No.7 of 2023 to the Sub Court, Karur, within a period of 15 days from the date of receipt of copy of this order and on receipt of the same, the learned Subordinate Judge, Karur, is directed to take the same on file and proceed in accordance with law. No costs. Consequently, connected Miscellaneous Petition is closed.

12.12.2023

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

To

1. The Subordinate Judge, Bavani.
2. The Subordinate Judge, Karur.
3. The Section Officer,
VR Section,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



Tr.C.M.P(MD).No.200 of 2023

K.MURALI SHANKAR, J.

DAS

Order made in
Tr.C.M.P (MD).No.200 of 2023
and
C.M.P.(MD)No.4347 of 2023

12.12.2023