



Tr.C.M.P.(MD)No.297 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.02.2023**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Tr.C.M.P.(MD)No.297 of 2021

and

C.M.P.(MD)No.6329 of 2021

Sowmiya

... Petitioner/ Respondent

Vs.

R.Vignesh Kumar

... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, to withdraw the case in H.M.O.P.No.455 of 2021 from the file of the Family Court, Madurai and transfer the same to the file of the Principal Subordinate Judge, Uthamapalayam, Theni District for disposal of the same on merits and in accordance with law.

For Petitioner : Mr.M.Sankar

For Respondent : Mr.B.A.Murugananthan



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ORDER

The present petition has been filed by the wife, seeking transfer of the case in H.M.O.P.No.455 of 2021 pending on the file of the Family Court, Madurai to be transferred to the Principal Subordinate Judge, Uthamapalayam, Theni District.

2. According to the learned counsel appearing for the petitioner, the petitioner / wife is residing at Cumbum along with her parents and three years old kid. Apart from that, the learned counsel appearing for the petitioner submits that the petitioner / wife has filed H.M.O.P.No.13 of 2023 on the file of the Principal Sub court, Uthamapalayam for divorce and the same has been posted for appearance of the respondent / husband on 01.03.2023.

3. However, the learned counsel appearing for the respondent / husband contends that the petitioner / wife is working in Chennai and hence, question of transferring the case from the Family Court, Madurai to Theni District does not arise.



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4. The learned counsel appearing for the petitioner / wife submits that due to Covid-19 pandemic, the petitioner / wife is working in the mode of 'work from home' at Cumbum.

5. Considering the above said facts, H.M.O.P.No.455 of 2021 pending on the file of Family Court, Madurai, is hereby withdrawn and transferred to Principal Subordinate Judge, Uthamapalayam, Theni District, which is to be tried along with H.M.O.P.No.13 of 2023.

6. With the above said observations, this Transfer Civil Miscellaneous Petition stands allowed. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

23.02.2023

NCC : Yes / No
Index : Yes / No
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R.VIJAYAKUMAR, J.

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To

- 1.The Family Court, Madurai.
- 2.The Principal Subordinate Judge, Uthamapalayam, Theni District.
- 3.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Tr.C.M.P.(MD)No.297 of 2021

23.02.2023