



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2023

CORAM

**THE HONOURABLE MRS JUSTICE K. GOVINDARAJAN
THILAKAVADI**

Tr.C.M.P(MD)No.340 of 2023

and

C.M.P.(MD).No.7344 of 2023

C.Lavanya

... Petitioner/
Respondent

Vs.

S.M.Dhenash Babu

... Respondent/
Petitioner

Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw the H.M.O.P.No.8 of 2023 on the file of the Subordinate Court, Sathyamangalam and transfer the same to the Sub-Court, Madurai.

For Petitioner :M/s.B.Deepa

For Respondent :Mr.S.m.Ramsiva

ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw the H.M.O.P.No.8 of 2023 on the file of the Subordinate Court, Sathyamangalam and transfer the same to the Sub-Court, Madurai.



2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent and also perused the materials available on record.

3. The learned counsel appearing for the petitioner would submit that the marriage between the petitioner and the respondent was solemnized on 10.12.2020. Due to some misunderstanding arose between them, the petitioner/wife filed H.M.O.P.No.8 of 2023 before the Subordinate Court, Sathyamangalam, for divorce by dissolving the marriage between them. The learned counsel further submitted that at the time of filing the H.M.O.P., she was working as a clerk in Bank at Gopichettipalayam. Now, the petitioner is residing with her parents at Madurai. Before the date of first hearing, she has been transferred to Neerpalani, Pudukottai District. The distance between Madurai and Sathyamangalam is 250 Km. The learned counsel further submitted that as the petitioner is travelling from Madurai to Neerplanai daily for work, she finds it difficult to appear before the Subordinate Court, Sathyamangalam for each and every hearings. Hence, she prays for transfer of the H.M.O.P.No.8 of 2023 from the Sub-Court, Sathyamangalam to the Sub-Court, Madurai.

4. The learned counsel appearing for the respondent submitted that the respondent has no objection for transferring the above H.M.O.P.



5.Considering the submissions made on either side, this Transfer Civil Miscellaneous Petition is allowed and the H.M.O.P.No.8 of 2023 pending on the file of the Subordinate Court, Sathyamangalam, is ordered to be withdrawn and transferred to the file of the Sub-Court, Madurai. The learned Subordinate Judge, Sathyamangalam, is directed to transmit the entire records pertaining to the case in H.M.O.P.No.8 of 2023 to the transferee Court, within a week from the date of receipt of a copy of this order, if the same is not yet disposed of. The Registry is also directed to send back the papers that are pending before the Registry, if any. However, the respondent is also directed to appear before the Subordinate Court, Sathyamangalam, either personally or through video conferencing and if the personal appearance of the respondent is required, he is directed to appear before the Court below. No costs. Consequently, the connected miscellaneous petition is closed.

07.08.2023

NCC:Yes/No

Index:Yes/No

Internet:Yes/No

Ns

To

1.The Family Court,
Madurai.

2.The Sub-Court,
Devakottai.

3.The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



K.GOVINDARAJAN THILAKAVADI, J.

Ns

Tr.C.M.P(MD)No.340 of 2023
and
C.M.P.(MD).No.7344 of 2023

07.08.2023