



TR.C.M.P.(MD) No.425 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.08.2023

CORAM

THE HO'BLE **MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI**

TR.C.M.P.(MD) No.425 of 2023

and

C.M.P.(MD) No.8925 of 2023

Sobitha

... Petitioner

Vs.

Singaravelu

... Respondent

Prayer:- Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, 1908, to withdraw H.M.O.P.No.11 of 2023 pending on the file of the Family Court, Mannargudi, Thiruvarur District and transfer the same to the Family Court, Thanjavur and consequently direct the transferee Court to deal with the said case in accordance with law.

For Petitioner : Mr.R.L.Dhilipan Pandian

For Respondent : No appearance

ORDER

This Transfer Civil Miscellaneous Petition has been filed by the wife for transfer of H.M.O.P.No.11 of 2023 from the Family Court, Mannargudi, Thiruvarur District to the Family Court, Thanjavur.



TR.C.M.P.(MD) No.425 of 2023

WEB COPY

2. According to the petitioner/wife, the respondent/husband has filed H.M.O.P.No.11 of 2023 before the Family Court, Mannargudi, Thiruvarur District for dissolution of marriage solemnized between the petitioner and the respondent on 29.01.2007.

3. It is submitted that the distance between the Mannargudi and Thiruvaiyaru is more than 60 kms and being a woman, the petitioner must have a company while travelling to Mannargudi for attending the Court which would certainly cause huge expenditure and such trip would also physically affect the petitioner's health. It is further submitted that she has no means even for her survival and there is no avenue available for the petitioner to generate the source of income. On the ground, the petitioner filed a petition for maintenance from the respondent/husband. Therefore, the petitioner was constrained to approach this Court for transfer of H.M.O.P.No.11 of 2023 from the Family Court, Mannargudi, Thiruvarur District to the Family Court, Thanjavur.

4. During the course of hearing, the learned counsel appearing for the petitioner would submit that for the interest of justice, the case may be



TR.C.M.P.(MD) No.425 of 2023

transferred from the Family Court, Mannargudi, Thiruvarur District to the Principal Sub Court, Thanjavur instead of the Family Court, Thanjavur.

5. Therefore, considering the facts and circumstances of the case and considering the submission made by the learned counsel for the petitioner, H.M.O.P.No.11 of 2023 is directed to be transferred from the file of the Family Court, Mannargudi, Thiruvarur District to the file of the Principal Subordinate Court, Thanjavur.

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

23.08.2023

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

- 1.The Judge, Family Court,
Mannargudi, Thiruvarur District
- 2.The Principal Subordinate Judge,
Thanjavur.



WEB COPY



TR.C.M.P.(MD) No.425 of 2023

K.GOVINDARAJAN THILAKAVADI, J.

jen

TR.C.M.P.(MD) No.425 of 2023
and C.M.P.(MD) No.8925 of 2023

23.08.2023