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Tr CMP (MD) No.536 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

Tr.C.M.P.(MD) No.536 of 2021

and

CMP(MD)No.9795 of 2021

K.Abirami ... Petitioner/Respondent

(Amended as per the order of this Court dated 17.03.2023 in CMP(MD)No. 10335 of 2021 in Tr.CMP(MD)No.536 of 2021 by CSNJ)

-vs-

P.Kumar ... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceedings pending in H.M.O.P.No. 146 of 2021 on the file of Family Court, Perambalur and transfer the same to any competent courts at Karur.

For Petitioner : Mr.E.Rk.Kumaresan

For Respondent : Mr.S.Sathya Chidambaram

ORDER

The present Transfer Civil Miscellaneous Petition is filed to withdraw the case in H.M.O.P.No.146 of 2021 on the file of Family Court, Perambalur, and transfer the same to any competent Court in Karur.



Tr CMP (MD) No.536 of 2021

WEB COPY

2.The specific case of the petitioner is that the petitioner is not employed and has to travel more than 220 km up and down for hearing. It is further submitted that the respondent has not supported the petitioner and therefore, the petitioner has filed D.V.C.No.48 of 2021 before the Additional Mahila (Judicial Magistrate Level) Karur. That apart, claim for maintenance, it is submitted that the petitioner has also prayed for reunion and for incidental relief. Hence, he prays for transfer the HMOP to the Family Court, Karur.

3.The learned counsel for the respondent submits that the respondent has filed CRP(MD)No.180 of 2023 challenging the initiation of DVC proceedings under the provisions of Domestic Violence Act. On query as to where the respondent is residing, the learned counsel for the respondent submitted that the respondent is working at Chennai

4.Considering the fact that the petitioner is residing in Karur District, this Court is inclined to transfer H.M.O.P.No.146 of 2021 from Family Court, Perambalur, to Family Court, Karur. The Family Court, Karur, shall endeavour to bring closure to the dispute between the parties within a period of 12 months from the date of receipt of a copy of this order.



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Tr CMP (MD) No.536 of 2021

5. With the above observation, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

17.03.2023
2/2

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

dss

To:

1. The Family Court,
Perambalur.
2. The Family Court,
Karur.



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C.SARAVANAN, J.

dss

Order made in
Tr.C.M.P.(MD) No.536 of 2021
and
CMP(MD)No.9795 of 2021

Dated:

17.03.2023