



Tr.C.M.P.(MD)No.595 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.03.2023

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

Tr.C.M.P.(MD)No.595 of 2022

and

C.M.P.(MD)No.9497 of 2022

Velraj, S/o.Perumalsamy

.. Petitioner

Versus

Divyadevi, D/o.Murugan

.. Respondent

Prayer :- Petition filed under Section 24 of C.P.C., to withdraw H.M.O.P.No.196 of 2021, pending on the file of the Sub Court, Kovilpatti, and to transfer the same to the file of the Family Court, Madurai.

For Petitioner : Ms.N.Gayathri

For Respondent : No Appearance

ORDER

This Transfer Civil Miscellaneous Petition is filed to withdraw the case in H.M.O.P.No.196 of 2021, pending on the file of the Sub Court, Kovilpatti, and to transfer the same to the file of the Family Court, Madurai.



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2. Despite service of notice on the respondent, there is no representation on behalf of the respondent.

3. The petitioner is the husband of the respondent. The respondent has filed H.M.O.P.No.196 of 2021, before the Sub Court, Kovilpatti, for divorce.

4. It is the case of the petitioner that he is 100% visually impaired person and that he is unable to travel from Madurai to Kovilpatti in connection with H.M.O.P.No.196 of 2021. It is submitted that the petitioner had earlier filed H.M.O.P.No.195 of 2020, for restitution of conjugal rights, before the Family Court, Madurai, which is pending.

5. Considering the above, there shall be an order for transfer of H.M.O.P.No. 196 of 2021, pending on the file of the Sub-Court, Kovilpatti, to the file of the Family Court, Madurai. However, the petitioner shall pay all the expenses namely, boarding and lodging and transportation of the respondent in connection with the hearing of H.M.O.P.No.196 of 2021 before the Family Court at Madurai. The presence of the respondent shall stand dispensed with for routine hearings, barring the dates on which, her presence is required before the Family Court, Madurai. The learned Judge, Family Court, Madurai, shall dispose of H.M.O.P.No.196 of 2021, on it being re-numbered along with H.M.O.P.No.195 of 2020, as expeditiously as



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possible, preferably, within a period of 12 months from the date of receipt of a copy of this order.

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6. This Transfer Civil Miscellaneous Petitions stands allowed with the above directions. No costs. Consequently, connected Miscellaneous Petition is closed.

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

21.03.2023

1.The Sub Judge,
Kovilpatti.

2.The Judge,
Family Court,
Madurai.



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C.SARAVANAN, J.

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Order made in
Tr.C.M.P.(MD)No.595 of 2022

21.03.2023