



Tr.C.M.P(MD)No.647 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.02.2023**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Tr.C.M.P(MD)No.647 of 2022

and

C.M.P(MD)No.10262 of 2022

Anees Fathima

... Petitioner/ Defendant

Vs.

Arshad Ali.TM

... Respondent/ Plaintiff

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw O.S.NO.7 of 2022 on the file of the Family Court, Dindigul and to transfer the same to the file of the Family Court, Tiruchirappalli.

For Petitioner : Mr.A.Zubaithabanu

For Respondent : Mr.C.Masilamani

ORDER

The present transfer civil miscellaneous Petition has been filed by the wife seeking to transfer O.S.No.7 of 2022 filed by the husband seeking for divorce pending on the file of the Family Court, Dindigul to be transferred to the file of the Family Court, Tiruchirappalli.



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2. According to the learned counsel appearing for the petitioner/wife, due to matrimonial dispute, the petitioner/wife is residing at Kajamalai, Trichy, with her parents and she finds it difficult to travel to Dindigul for every hearing.

3. Per contra, the learned counsel appearing for the respondent/husband submitted that the respondent is a Government Doctor at Dindigul and he finds it difficult to take leave to attend the hearing at Thiruchirappalli and he also apprehends that he is likely to be attacked at Thiruchirappalli.

4. Considering the aforesaid facts, this Court is inclined to pass the following order:

(i) O.S.No.7 of 2022 pending on the file of the Family Court, Dindigul, is hereby withdrawn and transferred to the file of the Principal Subordinate Court, Thiruchirappalli.

(ii) Incase of any difficulty thereafter, the respondent/husband is at liberty to approach the Principal Subordinate Court, Tiruchirappalli, seeking for recording the evidence through video conference.



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

21.02.2023

NCC : Yes / No
Index : Yes / No
Rmk

To

- 1.The Judge, Family Court, Dindigul.
- 2.The Principal Subordinate Judge, Thiruchirapalli.



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R.VIJAYAKUMAR ,J.

Rmk

Order made in
Tr.C.M.P(MD)No.647 of 2022

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