



Tr.C.M.P(MD)No.692 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.692 of 2022

Swaminathan

... Petitioner/Petitioner

Vs.

Maheswari

... Respondent/Respondent

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.61 of 2019 on the file of the Subordinate Court, Ambasamuthiram and transfer the same to the Family Court, Tuticorin.

For Petitioner : Mr.S.Chellapandian

For Respondent : No appearance

ORDER

The present transfer civil miscellaneous Petition has been filed by the husband seeking to transfer H.M.O.P.No.61 of 2019 pending on the file of the Subordinate Court, Ambasamuthiram, to be transferred to the Family Court, Tuticorin.

2. According to the learned counsel appearing for the petitioner/husband, the respondent/wife had filed H.M.O.P.No.304 of



Tr.C.M.P(MD)No.692 of 2022

2021, which is pending on the file of the Family Court, Thoothukudi.

Hence, this petition in H.M.O.P.No.61 of 2019 may be transferred from the Subordinate Court, Ambasamuthiram to the Family Court, Thoothukudi to be tried along with H.M.O.P.No.304 of 2021.

3. Though the respondent/wife has been served, she has not chosen to appear either in person or through counsel.

4. Considering the fact that the husband seeks to transfer his own petition to the District, in which, the wife is residing, this Court is inclined to allow this petition. Accordingly, H.M.O.P.No.61 of 2019 pending on the file of the Subordinate Court, Ambasamuthiram, is hereby withdrawn and transferred to the file of the Family Court, Thoothukudi, to be tried along with H.M.O.P.No.304 of 2021.

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

21.02.2023

NCC : Yes / No
Index : Yes / No
Rmk



Tr.C.M.P(MD)No.692 of 2022

To

1. The Subordinate Judge, Ambasamuthiram.
2. The Judge, Family Court, Thoothukudi.

WEB COPY



WEB COPY



Tr.C.M.P(MD)No.692 of 2022

R.VIJAYAKUMAR ,J.

Rmk

Order made in
Tr.C.M.P(MD)No.692 of 2022

21.02.2023