



Tr CMP (MD) No.786 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

Tr.C.M.P.(MD) No.786 of 2022

V.Maneesa

... Petitioner/Respondent

-VS-

S.Mohanraj

... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the case in H.M.O.P.No.197 of 2021 pending on the file of the learned Subordinate Judge, Pollachi and transfer the same to the Family Court, Dindigul or any other competent Court in Dindigul.

For Petitioner : Mr.A.Mohamed Riyaz

For Respondent : No Appearance

ORDER

The present Transfer Civil Miscellaneous Petition is filed to withdraw the case on the file of Sub-Court, Pollachi in H.M.O.P. No. 197 of 2021 and transfer the same to the Family Court, Dindigul.



Tr CMP (MD) No.786 of 2022

WEB COPY

2.Despite notice being served through Court and privately on the respondent and the name being printed in the cause list, there is no representation on behalf of the respondent either in person or through counsel.

3.Paragraph 19 of the affidavit reads as under:-

“19..... I respectfully submitted that since I along with my deserted mother are residing in the above mentioned address, I could not make frequent travel to the learned Subordinate Judge Court, Pollachi, which is far away more than a 150 Kilometers, up and down 300 Kilometers, almost it will take one day to attend the hearing my cases, and also my two children are studying in school in Kgs, the pickup and drop the child from the school by the petitioner only. So that it is truly difficult to attend the hearing my cases without fail, the petitioner only take care of her children all are below 5 years of age.”

4.Being satisfied with the reasons stated in the affidavit filed in support of this petition, this Court is inclined to allow this petition. Hence, H.M.O.P. No. 197 of 2021 is transferred from the file of Sub-Court, Pollachi to Family Court, Dindigul. The Family Court, Dindigul, shall endeavour to complete the proceedings preferably within a period of 12 months from the date of receipt of copy of this order.



WEB COPY

Tr CMP (MD) No.786 of 2022

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

14.06.2023

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

To:

1. The Sub-Court,
Pollachi.
2. The Family Court,
Dindigul.



WEB COPY



Tr CMP (MD) No.786 of 2022

C.SARAVANAN, J.

Mrn

Order made in
Tr.C.M.P.(MD) No.786 of 2022

Dated:

14.06.2023