



WEB COPY



Tr.C.M.P.No.810 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.C.M.P.No.810 of 2023
and C.M.P.No.19586 of 2023

Jannath Fathima .M

... Petitioner

Vs.

Mohamed Uvaze Ahamed .A

... Respondent

PRAYER: The Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, to withdraw the O.S.No.89 of 2023 pending on the file of the District Munsif Court at Kovilpatti, Thoothukudi District and transfer the same to the District Munsif cum Judicial Magistrate Court, Madharavam, Tiruvallur District.

For the Petitioner : Mr.E.Udayachander

For the Respondent : Mr.T.Subramanian

ORDER

This petition has been filed to withdraw the O.S.No.89 of 2023 pending on the file of the District Munsif Court at Kovilpatti, Thoothukudi District and transfer the same to the District Munsif cum Judicial Magistrate



Tr.C.M.P.No.810 of 2023

Court, Madharavam, Tiruvallur District.

WEB COPY

2. The petitioner and the respondent got married on 19.05.2022 at Chennai. The husband has gone to Uzbekistan in August 2022. From the wedlock, a female child was born on 25.04.2023. The husband has initiated O.S.No.89 of 2023 for declaration that the marriage between the petitioner and himself as null and void. He has chosen to file the said suit before the District Munsif Court, Kovilpatti, Thoothukudi District. The petitioner/wife who is the resident of Chennai, is not able to meet her expenses and also that of the toddler. Hence, she has moved this transfer petition.

3. Notice was ordered in the petition and the respondent has entered appearance through Mr.T.Subramanian. He does not dispute the fact that the husband is a Professor working in Uzbekistan.

4. The wife finds it difficult to travel from Chennai to Kovilpatti, which is more than 500 kms from Chennai. Therefore, taking into consideration the interest of the petitioner/wife the suit in O.S.No.89 of 2023 pending on the file of the District Munsif Court at Kovilpatti, Thoothukudi



Tr.C.M.P.No.810 of 2023

District, is withdrawn and transferred to the file of the District Munsif cum Judicial Magistrate Court, Madharavam, Tiruvallur District.

5. The learned District Munsif cum Judicial Magistrate, Madharavam, Tiruvallur District, is requested not to insist on the presence of the husband for every hearing, but he shall be directed to be present only for such hearings where his presence is indispensable. On the other hearings, he may be represented through a counsel.

6. Accordingly, the Transfer Civil Miscellaneous Petition stands allowed. No costs. Consequently, the connected Civil Miscellaneous Petition is closed.

15.07.2024

Index : Yes/No

Neutral Citation : Yes/No

Speaking order / Non-speaking order

Jer

To

1.The District Munsif cum Judicial Magistrate,
Madharavam, Tiruvallur District.

2. District Munsif
Kovilpatti, Thoothukudi District.



WEB COPY



Tr.C.M.P.No.810 of 2023

V.LAKSHMINARAYANAN, J.

Jer

Tr.C.M.P.No.810 of 2023

15.07.2024