



Tr.CMP.(MD)No.280 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **08.03.2024**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Tr.CMP.(MD)No.280 of 2023

and

CMP(MD)No.6368 of 2023

Abirami

.. Petitioner

Vs.

M.Sridhar

.. Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Civil Procedure Code, to withdraw the proceedings in HMOP.No.29 of 2021 on the file of the Sub Court, Perundurai and transfer the same to the Family Court, Tirunelveli.

For Petitioner : Mr.N.Vignesh

For Respondent : Mr.E.Mohamed Abbas

ORDER

The petitioner is the wife of the respondent. She is facing the divorce proceedings before the Sub Court, Perundurai in HMOP.No.29 of 2021 filed by her husband/respondent herein. This petition has been



filed to transfer the HMOP.No.29 of 2021 from the file of the Sub Court, Perundurai to the file of the Family Court, Tirunelveli.

2. The learned counsel for the petitioner submitted that the petitioner is now residing at Tirunelveli along with her 4 years old child in her parental home with her parents. He further submitted that she has to take care of her child and age old parents and she has to travel about 700 kms along with her child to attend the Court proceedings from Tirunelveli to Perundurai and she is not in a position to travel from Tirunelveli to Perundurai for every hearing and hence, it is difficult for her to contest the case before the Sub Court, Perundurai. Hence, she filed this petition to transfer the HMOP.No.29 of 2021 from the file of the Sub Court, Perundurai to the file of the Family Court, Tirunelveli.

3. The only grievance made by the respondent is that since he is working in Bangalore, his appearance may be dispensed with before the trial Court.

4. Considering the pendency of the case, this Court withdraws H.M.O.P.No.29 of 2021 from the file of the Sub Court, Perundurai and transfers the same to the Family Court, Tirunelveli. The Sub Court,



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Perundurai is directed to transfer the entire records in H.M.O.P.No.29 of 2021 to the transferee Court forthwith. The transferee Court shall receive the records and assign a new number, send notice to both parties and proceed further in the matter. There transferee Court shall consider the request of the respondent to dispense with his appearance and pass appropriate orders.

4. With the above direction, this Transfer Civil Miscellaneous Petition stands allowed. Consequently, connected miscellaneous petition is closed.

08.03.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
PJL

To

1. The Sub Judge, Perundurai.
2. The Judge, Family Court, Tirunelveli.



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G.ILANGOVAN. J.

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