



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2016

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

TR.C.M.P (MD) No.442 of 2016

and

C.M.P (MD) No.8872 of 2016

R.Vigneswari

... Petitioner

Vs.

G.Kamalakannan

... Respondent

Prayer: The Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code to withdraw the H.M.O.P.No.100 of 2016 pending on the file of Family Court, Dindigul and transfer the same to Sub Court or any other competent Court at Tuticorin.

For Petitioner : Mr.G.Jegannathan for
M/s.Veera Associates
For Respondent : Mr.F.X.Eugene

O R D E R

The Transfer Civil Miscellaneous Petition is filed seeking to withdraw the H.M.O.P.No.100 of 2016 pending on the file of Family Court, Dindigul and transfer the same to Sub Court or any other competent Court at Tuticorin.

2. The marriage between the petitioner and the respondent was solemnized on 27.01.2010, as per Hindu Rites and Customs at Tuticorin. Due to the strained relationship between the parties, the petitioner left the matrimonial home and now employed in a Software Company at Bangalore City.

3. The contention of the petitioner is that there was a misunderstanding between the petitioner and the respondent and due to continuous wordy quarrel between them, she was not in a position to continue the matrimonial home and left the same. The respondent filed H.M.O.P.No.100 of 2016 before the Family Court, Dindigul for divorce. The ground raised by the petitioner is that she is native of Tuticorin and her mother is residing at Tuticorin and therefore, she wants to transfer the case to Tuticorin District, Tuticorin.

<https://hcservices.courts.govt.in/hcservices>
4. The learned counsel for the respondent opposed the petition by stating that the petitioner is a well educated woman and employed in a Software Company at Bangalore and earning huge



amount of salary and able to travel from Bangalore to Dindigul. Further, it is argued that the Transfer Civil Miscellaneous Petition is filed to transfer the case from Dindigul to Tuticorin and as far as the residence of the petitioner is concerned, she is at Bangalore and either way she has to travel from Bangalore to Dindigul or to Tuticorin and much less difference as far as the petitioner is concerned in respect of contesting of the case filed by the respondent for divorce which is pending before the Family Court, Dindigul.

5. Considering the facts and circumstances of the case, this Court is of the view that the petitioner is not made out any meaningful ground to transfer the case and accordingly, the petition deserves no consideration. Hence, the Transfer Civil Miscellaneous Petition is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(Records)

/True copy/

Sub Assistant Registrar

To
The Judge, Family Court,
Dindigul.

+1cc to Mr.C.Jegannathan, Advocate SR.No.63579
+1cc to Mr.F.X.Eugene, Advocate SR.No.63759

akv
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