



TR.C.M.P(MD).No.173 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

TR.C.M.P(MD).No.173 of 2022
and C.M.P(MD).No.3088 of 2022

P.Muthu Rajeswari @ Vinitha

... Petitioner

versus

G.Hariharan

... Respondent

Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C, to withdraw the case in H.M.O.P.No.112 of 2022 on the file of the Family Court, Tiruchirappalli and transfer the same to the Subordinate Court, Aruppukottai, Virudhunagar District.

For Petitioner : M/s.Stella Rajkumar

For Respondent : Mr.J.K.GunaSeelan



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ORDER

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This Transfer Civil Miscellaneous Petition has been filed seeking transfer of the proceedings in H.M.O.P.No.112 of 2022 from the file of the Family Court, Tiruchirappalli to the Subordinate Court, Aruppukottai, Virudhunagar District.

2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 10.11.2019, as per the Hindu Rites and Customs. Subsequently, due to some difference of opinion, the respondent has filed H.M.O.P.No.112 of 2022 before the Family Court, Tiruchirappalli, seeking divorce. Since the petitioner/wife is a resident of Virudhunagar District, she filed this present Transfer Civil Miscellaneous Petition to transfer the proceedings in H.M.O.P.No.112 of 2022 from the file of the Family Court, Tiruchirappalli to the Subordinate Court, Aruppukottai, Virudhunagar District.

3.The learned counsel appearing for the petitioner submits that the distance between Virudhunagar and Thiruchirappalli is around 170 kms and



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it is very difficult for the petitioner to travel such a long distance for appearing before the Family Court, Tiruchirappalli, for each and every hearing.

4.Heard the learned counsel appearing for the respondent.

5.This Court, being satisfied with the reasons stated in the affidavit filed in support of this petition and also taking into consideration that it is well settled law that convenience of wife is to be taken into consideration at the time of considering transfer applications as held by the Hon'ble Supreme Court in the judgment reported in **2008(9)SCC 353 (Arti Rani @ Pinki Devi and another Vs. Dharmendra Kumar Gupta)**, is inclined to allow the present petition.

6.In the light of the above, this transfer civil miscellaneous petition stands allowed. The proceedings in H.M.O.P.No.112 of 2022 on the file of the Family Court, Thiruchirappalli is withdrawn and ordered to be transferred to the file of the Subordinate Court, Aruppukottai, Virudhunagar



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District. The learned Judge, Family Court, Tiruchirappalli, is directed to transmit the entire case records to the Subordinate Court, Aruppukottai, Virudhunagar District forthwith and the learned Judge, Subordinate Court, Aruppukottai, Virudhunagar District, who in turn shall dispose of the same as expeditiously as possible. No costs. Consequently, connected miscellaneous petition is closed.

14.07.2022

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Index : Yes / No

Internet: Yes / No

To

1.Family Court,
Tiruchirappalli.

2.Subordinate Court,
Aruppukottai,
Virudhunagar District.



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B.PUGALENDHI, J.

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