



TR.C.M.P(MD)No.209 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

TR.C.M.P (MD)No.209 of 2022

and

C.M.P (MD)No.3795 of 2022

Sasirekha @ Mounika

... Petitioner

Vs

Manivannan

... Respondent

Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C, to withdraw HMOP.No.150 of 2022 on the file of the Family Court, Madurai and transfer the same to the file of the Family Court, Thanjavur.

For Petitioner : Mr.V.Venkataseshan

For Respondent : Mr.A.Sivasubramanian

ORDER

This Transfer Civil Miscellaneous Petition has been filed seeking transfer of the case in HMOP.No.150 of 2022 from the Family Court, Madurai to the Family Court, Thanjavur.



TR.C.M.P(MD)No.209 of 2022

2.The learned counsel appearing for the petitioner submits that the petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 17.01.2021, as per the Hindu Rites and Customs. Now the husband filed HMOP.No.150 of 2022 before the Family Court, Madurai. Since the petitioner / wife is a resident of Thanjavur district, she has filed this present Transfer Civil Miscellaneous Petition to transfer the above proceedings to the Family Court, Thanjavur on the ground that the distance between Thanjavur and Madurai is more than 150 kms, she is depending on her age old parents and since no one is there to accompany her, she finds it difficult to appear before Court by travelling such a long distance.

3.The learned Counsel for the respondent has raised his objection to the relief sought for by the petitioner.



TR.C.M.P(MD)No.209 of 2022

4.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.

5.In the light of the above, this transfer civil miscellaneous petition stands allowed with the following directions:

(i)The proceedings in HMOP.No.150 of 2022 is withdrawn from the Family Court, Madurai and transferred to the Family Court, Thanjavur.

(ii)The learned Judge, Family Court, Madurai is directed to send the above case records within a period of fifteen days from the date of receipt of a copy of this order to



TR.C.M.P(MD)No.209 of 2022

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the learned Judge, Family Court, Thanjavur, who in turn, on receipt of the case, shall try it along with HMOP.No.79 of 2021 and shall dispose of the same as expeditiously as possible. No costs. Consequently, connected miscellaneous petition stands closed.

20.07.2022

Index: Yes/No

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To

1. The Judge,
Family Court,
Madurai.
2. The Judge,
Family Court,
Thanjavur.



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TR.C.M.P(MD)No.209 of 2022

B. PUGALENDHI , J.

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TR.C.M.P (MD) No.209 of 2022

20.07.2022