



TR.C.M.P(MD).No.391 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

TR.C.M.P(MD).No.391 of 2022

and

C.M.P(MD).No.6422 of 2022

M.Saranya

... Petitioner

versus

K.Ananda Kumar

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 C.P.C. to withdraw the case in H.M.O.P.No.102 of 2022 on the file of the Sub Court, Thiruchengode, Namakkal District filed by the respondent and transfer the same to the Family Court at Madurai.

For Petitioner : Mr.S.Loganathan

For Respondent : Mr.P.Balasubramanian



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ORDER

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This Transfer Civil Miscellaneous Petition has been filed seeking transfer of H.M.O.P.No.102 of 2022 from the file of the Sub Court, Thiruchengode, Namakkal District, to the file of the Family Court at Madurai. .

2. The petitioner herein is the wife and the respondent herein is the husband. The marriage between them was solemnized on 17.05.2021, as per Hindu Rites and Customs. Due to some misunderstanding, now, they are living separately. Thereafter, the respondent has filed H.M.O.P.No.102 of 2022 before the Sub Court, Thiruchengode, Namakkal District, seeking divorce. Now, the petitioner is living along with her aged parents at Madurai. Since she is not having sufficient means and there is no one to accompany her, she finds it difficult to travel from Madurai to Thiruchengode. Hence, she filed the present Transfer Civil Miscellaneous Petition to transfer the case in H.M.O.P.No.102 of 2022 from the file of the Sub Court,



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Thiruchengode, Namakkal District, to the file of the Family Court, Madurai.

3. The learned counsel appearing for the petitioner submits that the distance between Madurai and Thiruchengode is around 196kms. Now, the petitioner is living along with her aged parents at Madurai. Further, the petitioner is not having sufficient means to travel and she depends upon her parents to meet out her day-to-day expenses. Since there is no one to accompany her, she finds it difficult to travel from Madurai to Thiruchengode, for appearing before the Sub Court, Thiruchengode, for each and every hearing.

4. The learned counsel appearing for the respondent has no objection for transferring the case.

5. In view of no objection having been made by the learned counsel for the respondent, this Court is inclined to allow the present



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petition.

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6. Accordingly, the Transfer Civil Miscellaneous petition stands allowed. The proceedings in H.M.O.P.No.102 of 2022 pending on the file of the Sub Court, Thiruchengode, Namakkal District, is withdrawn and ordered to be transferred to the file of the Family Court, Madurai. The Sub Court, Thiruchengode, Namakkal District, is directed to transmit the entire case records to the Family Court, Madurai, forthwith. The learned Judge, Family Court, Madurai, shall dispose of the case as expeditiously as possible. No costs. Consequently, connected miscellaneous petition is closed.

25.11.2022

Index : Yes / No

Internet: Yes / No

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B.PUGALENDHI, J.

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To

1. The Sub Court,
Thiruchengode,
Namakkal District.
2. The Family Court,
Madurai.

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