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Tr.C.M.P.No.178 of 2023  
and C.M.P.No.3977 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

DATED: 16.11.2023

CORAM:

**THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI**

Tr.C.M.P.No. 178 of 2023

and

C.M.P.No. 3977 of 2023

A. Mercy Jesintha Devi

... Petitioner

Vs.

M. Charles

... Respondent

**PRAYER:** Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C., praying to withdraw I.D.O.P.No.59 of 2020 on the file of the Principal Family Court, Coimbatore and transfer the same to the Family Court at Tirunelveli.

For Petitioner : Mr. J. Stalin

For Respondent : No Appearance



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## **ORDER**

The petitioner / wife seeks transfer of I.D.O.P.No.59 of 2020 pending on the file of Principal Family Court, Coimbatore to the Family Court, Tirunelveli. The petitioner / wife seeks transfer of the proceedings before the Family Court, Tirunelveli on the ground that she is living at Tirunelveli along with her parents and she is not able to attend the Court hearings by travelling 740 kms.

2. The learned counsel for the petitioner submitted that the marriage between the respondent and the petitioner was solemnized on 27.08.2017 at St.Lady of Fathima Church at Gandhipuram, Coimbatore, as per Christian Rights and Customs. Furthermore, she is living along with her parents and it is difficult to attend the Court at Coimbatore. Hence, prays to transfer the IDOP.No.59 of 2020, to the Family Court, Tirunelveli.



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3. Though notice served to the lower Court counsel, there is no representation for the respondent.

4. Considering the facts and circumstances and the reason assigned by the petitioner is justifiable, this Court is inclined to transfer the I.D.O.P.No.59 of 2020 to the Family Court, Tirunelveli.

5. In view of the above, I.D.O.P.No.59 of 2020 is withdrawn from the file of the Principal Family Court, Coimbatore and transferred to the file of Family Court, Tirunelveli to be disposed of in accordance with law and the Principal Family Court, Coimbatore is directed to send entire records to the Family Court, Tirunelveli, within a period of two weeks from the date of receipt of a copy of this order.

6. Accordingly, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.



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7. However, the Family Court, Tirunelveli is directed to issue notice to the respondent and then proceed with the matter as early as possible, from the date of this order.

**16.11.2023**

Index : Yes / No  
Neutral Citation: Yes / No  
AT

To  
1. The Principal Family Court, Coimbatore.  
2. The Family Court, Tirunelveli.



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**T.V.THAMILSELVI, J.**

AT

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