



WEB COPY

Tr.C.M.P(MD)No.177 of 2



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.07.2023

CORAM

**THE HONOURABLE MRS JUSTICE K. GOVINDARAJAN
THILAKAVADI**

Tr.C.M.P(MD)No.177 of 2023
and
C.M.P.(MD).No.3877 of 2023

Nandhini

... Petitioner/
Respondent

Vs.

Pandiyarajan

... Respondent/
Petitioner

Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw the H.M.O.P.No.55 of 2023 on the file of the Family Court Dindigul and transfer the same to the file of the Family Court, Madurai.

For Petitioner	:Mr.A.Banumathy
For Respondent	:Mr.S.Sarvagan Prabhu

ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw the H.M.O.P.No.55 of 2023 on the file of the Family Court Dindigul and transfer the same to the file of the Family Court, Madurai.



2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent and perused the materials available on record.

3. The learned counsel appearing for the petitioner/wife would submit that the marriage between the petitioner and the respondent was solemnized on 10.12.2020 and out of wedlock, they blessed with one child. Due to some misunderstanding arose, the petitioner left the matrimonial home on 23.11.2022 and living separately. In such circumstances, the respondent filed a petition in H.M.O.P.No.55 of 2023 before the Family Court, Dindigul, for restitution of conjugal rights. The learned counsel further submitted that now the petitioner is residing in her parental home at Madurai and the distance between Madurai and Dindigul is approximately 130 kms. Therefore, it may not be feasible for the petitioner to travel from Madurai to Dindigul and hence, he prays for transferring the case from the Family Court, Dindigul to the Family Court, Madurai.

4. The learned counsel appearing for the respondent has no objection for transferring the case from the file of the Family Court, Dindigul to the Family Court, Madurai.



5. Accordingly, the Transfer Civil Miscellaneous Petition is allowed and the H.M.O.P.No.55 of 2023 pending on the file of the Family Court, Dindigu, is ordered to be withdrawn and transferred to the file of the Family Court, Madurai. The learned Family Court Judge, Dindigul is directed to transmit the entire records pertaining to the case in H.M.O.P.No.55 of 2023 to the transferee Court, within a week from the date of receipt of a copy of this order, if the same is not yet disposed of. The Registry is also directed to send back the papers that are pending before the Registry. No costs. Consequently, the connected miscellaneous petition is closed.

07.07.2023

NCC:Yes/No
Index:Yes/No
Internet:Yes/No
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To

- 1.The Family Court,
Madurai.
- 2.The Family Court,
Dindigul.
- 3.The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.



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K.GOVINDARAJAN THILAKAVADI, J.

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