



Tr.C.M.P(MD).No.495 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.12.2023

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Tr.C.M.P (MD).No.495 of 2023

and

C.M.P.(MD)Nos.10634 and 10635 of 2023

R.Kiruthika

: Petitioner/Respondent

Vs.

P.Rahulsivan

: Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 r/w 151 of Civil Procedure Code, to withdraw and transfer the H.M.O.P.No.1001 of 2022 on the file of the Family Court, Theni to the file of the Sub Court, Usilampatti.

For Petitioner : Mr.J.Jeyakumaran

ORDER

The Transfer Civil Miscellaneous Petition has been filed seeking orders to withdraw and transfer the case in H.M.O.P.No.1001 of 2022 on the file of the Family Court, Theni to the file of the Sub Court, Usilampatti.



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2. It is not in dispute that the marriage between the petitioner and the respondent was solemnized on 29.07.2017; that the respondent has filed a petition for divorce in H.M.O.P.No.1001 of 2022 and the same is pending on the file of the Family Court, Theni.

3. The learned counsel for the petitioner would submit that the petitioner is residing at Usilampatti, Madurai District and whereas, the respondent is residing at Bodinaickanur, Theni.

4. When the matter is taken up for hearing today, the learned counsel for the respondent would submit that the respondent is not having any objections to transfer the case as sought for by the petitioner.

5. Recording the submissions made by the learned counsel on either side and also taking note of the residence of the petitioner, this Court is inclined to allow the petition.

6. Accordingly, the Transfer Civil Miscellaneous Petition is allowed.
The case in H.M.O.P.No.1001 of 2022 on the file of the Family Court, Theni,



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is hereby ordered to be withdrawn and transfer to the file of the Sub Court, Usilampatti. The learned Judge, Family Court, Theni, is directed to send the records relating the case in H.M.O.P.No.1001 of 2022 to the Sub Court, Usilampatti, within a period of 15 days from the date of receipt of copy of this order and on receipt of the same, the learned Subordinate Judge, Usilampatti, is directed to take the same on file and proceed in accordance with law. No costs. Consequently, connected Miscellaneous Petitions are closed.

04.12.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
das

To

- 1.The Judge, Family Court, Theni.
- 2.The Subordinate Judge, Usilampatti.
- 3.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J.

DAS

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