



WEB COPY



Tr Cmp.No.16 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2024

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Tr CMP.No.16 of 2024

and

CMP.No.486 of 2024

M.Kavitha

... Petitioner

/vs/

Vadivel

... Respondent

PRAYER : This Transfer Civil Miscellaneous Petition has been filed under Section 24 of Civil Procedure Code to withdraw the case in HMOP No.368 of 2023 from the file of the Family Court, Dindigul and transfer the same to Family Court, Chennai.

For Petitioner ... Mr.L.G.Sahadevan

For Respondent ... Mr.Vadivel

ORDER

This Transfer Civil Miscellaneous Petition has been filed to withdraw the case in HMOP No.368 of 2023 from the file of the Family Court, Dindigul and transfer the same to Family Court, Chennai.

2.The petitioner is wife and the respondent is husband. The



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respondent herein has filed the above HMOP No.368 of 2023 seeking divorce. The petitioner's children are studying first standard and pre-K.G. in a private school at Choolaimedu, Chennai and since the respondent did not bother to pay maintenance to her children, she is taking steps to file maintenance petition against the respondent. In such circumstances, it is very difficult for the petitioner to travel from Chennai to Dindigul for hearings of the divorce petition and hence, the present transfer petition has been filed.

3. The learned counsel for the respondent has appeared through video conferencing and submitted that the respondent has no objection for transferring the case from the file of Family Court Dindigul to the Family Court, Chennai.

4. In view of the submission made by the learned counsel for the respondent and also considering the fact that the reason assigned by the petitioner is justifiable, this Court is inclined to transfer the case, as prayed for in the petition.

5. Accordingly, H.M.O.P.No.368 of 2023 is hereby directed to be



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withdrawn from the file of the Family Court, Dindigul and transferred to the Family Court, Chennai. The Family Court Judge, Dindigul is directed to send the entire records to the Family Court, Chennai within a period of two weeks from the date of receipt of a copy of this order and on receiving the same, the learned Judge, Family Court, Chennai is directed to issue notice to both parties and thereafter, dispose of the case on merits as early as possible.

6. With the above direction, the Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

Index : Yes/No
Internet : Yes/No
mst

15.02.2024

To

- 1.The Judge, Family Court, Dindigul
- 2.The Judge, Family Court, Chennai.



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V.SIVAGNANAM ,J.

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