



Tr.CMP.No.762 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.CMP.No.762 of 2023

and

C.M.P.No.18580 of 2023

M.Alamelu Mangai @ Vanitha

.. Petitioner

Vs.

K.Rajesh

.. Respondent

Prayer : The Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceeding in H.M.O.P.No.129 of 2019 on the file of the Family Court at Karur and transfer the same to the file of the Sub Court at Gobichettipalayam.

For Petitioner : Mr.A.V.Arun

assisted by M/s.M.Abinu Monisha

For Respondent : Mr.C.Harish

ORDER

The petitioner and the respondent have spent more time in Court than living with each other. This is the second round of litigation.



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2. Though they married in the year 1994 and despite having two children, they are not in a position to live together. The husband has initiated the proceeding in H.M.O.P.No.129 of 2023 on the file of the Family Court at Karur. The wife, who is the resident of Gobichettipalayam, seeks transfer of that proceeding to the file of the learned Subordinate Judge at Gobichettipalayam.

3. Between the parties, already the proceedings under the Domestic Violence Act and maintenance are pending before the Courts in Gobichettipalayam. Apart from that, the wife has also knocked on the doors of the police in order to initiate proceedings against her husband at Gobichettipalayam. The husband is anyway traveling to Gobichettipalayam for the purpose of contesting those proceedings. The wife pleads inability to travel as the husband is not maintaining her.

4. Taking the overall situation into consideration, I am inclined to allow this transfer petition. Hence, the proceeding in H.M.O.P.No.129 of 2023 pending on the file of the Family Court at Karur is withdrawn and it shall stand transferred to the file of the learned Subordinate Judge at



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Gobichettipalayam.

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5. Accordingly, the Transfer Civil Miscellaneous Petition stands allowed. No costs. The connected Civil Miscellaneous Petition is closed.

04.06.2024

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Index:Yes/No

Speaking Order :Yes/No

Neutral Citation:Yes/No

V. LAKSHMINARAYANAN, J.



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To

- 1.The Family Court,
Karur
- 2.The learned Subordinate Judge,
Gobichettipalayam

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