



Tr. C.M.P. (MD) No. 73 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **29.04.2024**

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

Tr. C.M.P. (MD) No. 73 of 2023

and

C.M.P. (MD) No. 1674 of 2023

S.Vijayashanthi

... Petitioner

Vs.

M.Sathishkumar

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, 1908, to withdraw H.M.O.P. No. 415 of 2021 on the file of the Family Court, Tirupur and transfer to the Family Court, Madurai.

For Petitioner : Mr. K.Muthu Ganesa Pandian

For Respondent : Mr. P.Gokulnath

ORDER

This application for transfer of the case invoking Section 24 of the Code of Civil Procedure, 1908, has been filed relating to a matrimonial dispute between the parties. The Husband, viz., M.Sathishkumar has filed



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H.M.O.P. No. 415 of 2021 in the Family Court, Tirupur, seeking for divorce from his wife, viz., S.Vijayashanthi, which is sought to be transferred by the Wife to the Family Court, Madurai.

2. Heard Mr. K.Muthu Ganesa Pandian, Learned Counsel for the Wife, Mr. P.Gokulnath, Learned Counsel for the Husband and perused the materials placed on record, apart from the pleadings of the parties.

3. It is the case of the Wife she would have to travel a distance of more than 170 kms from Madurai to Tirupur to effectively defend the case filed against her by the Husband. That apart, she also expresses difficulties to take care of her children, which relevant factor remains controverted.

4. Learned Counsel appearing for Husband states that the Respondent has no objection for transfer of the case in H.M.O.P. No. 415 of 2021 from Madurai to Tirupur and he has made an endorsement to that effect in the court record.

5. In view of the same, the case in H.M.O.P. No. 415 of 2021 on the file



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of the Family Court, Tirupur is transferred to the Family Court, Madurai, and both parties shall appear before that Court on the next date of hearing, which is fixed as 19.06.2024, for conduct of further proceedings from its present stage, and on the subsequent dates to which it is adjourned. It shall be ensured that there is atleast one effective hearing every month showing progress of the case, and the Trial Court shall send monthly reports to the Registrar (Judicial) of this Court till the final order is passed.

In the result, the Transfer Civil Miscellaneous Petition is ordered on the aforesaid terms. Consequently, the connected Miscellaneous Petition is closed. No costs.

29.04.2024

Index : Yes/No
NCC : Yes/No
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To

1. The Family Court,
Madurai.

Copy to:-

1. Mr. N. Priyanka,
W/o. Lakshmi Prasath & D/o. M. Natarajan,
D.No. 26-A/22, Pari Street, Mahendrapuri,
Maharaja Circle, Salem – 636 008.
2. M. Lakshmi Prasath, S/o. Muniandi,
D.No. 3/146, 5th Street, Pandi Nagar,
Surveyor Colony, Madurai – 625 007.



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P.D.AUDIKESAVALU,J.

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