



TR. CMP(MD)No.50 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

TR. C.M.P.(MD)No.50 of 2024
and CMP(MD)No.739 of 2024

Valliyammai @ Venmadhi ...Petitioner

Vs.

Nagendhiran @ Ranjith ...Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C to order to withdraw and transfer the case in H.M.O.P.No.181 of 2023 on the file of the Sub Court, Aruppukottai, Virudhunagar District and transfer the same to the Family Court, Sivagangai.

For Petitioner : Mr.A.Ilayaraja

For Respondent : No appearance

ORDER

This Transfer Civil Miscellaneous Petition is filed seeking transfer of H.M.O.P.No.181 of 2023 from the file of the Sub Court, Aruppukottai, Virudhungar District, to the file of the Family Court, Sivagangai.



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WEB COPY

2. The learned counsel appearing for the petitioner would aver, among other things, that the respondent filed H.M.O.P.No.181 of 2023 on the file of the Sub Court, Aruppukottai, Virudhunagar District, for restitution of conjugal rights. The petitioner submits that distance between the residence of the petitioner to Aruppukottai, Virudhunar District is 150 kms and therefore, she is not in a position to travel and seeks for transfer.

3. Heard the learned counsel for the petitioner and perused the materials placed on record. There is no representation of the respondent.

4. I am satisfied with the reasons stated in the affidavit filed in support of this petition. It is well settled law that convenience of woman is to be taken into consideration at the time of considering transfer applications as held by the Supreme Court in the judgment reported in **2008(9)SCC 353 (Arti Rani @ Pinki Devi and another Vs. Dharmendra Kumar Gupta)**. I am inclined to



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allow this Transfer Civil Miscellaneous Petition. Accordingly, this petition is allowed with the following direction:

The Sub Court, Aruppukottai, Virudhunagar District, is directed to transmit the entire records in H.M.O.P.No.181 of 2023 to the file of the Family Court, Sivagangai, within a period of two weeks from the date of receipt of copy of this order.

No costs. Consequently, connected miscellaneous petition is closed.

26.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
CM

To

- 1.The Sub Court, Aruppukottai, Virudhunagar District.
- 2.The Family Court, Sivagangai.
3. The Section Officer,
V.R Section,Madurai Bench of Madras High Court,Madurai.



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G. ILANGO VAN, J.

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