



TR.C.M.P. (MD) No.67 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **23.04.2024**

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

TR.C.M.P. (MD) No. 67 of 2024
and
C.M.P. (MD) No. 1150 of 2024

K.Bhuvaneswari

... Petitioner

Vs.

P.Senthilkumar

... Respondent

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure, 1908, to withdraw the case in F.C.O.P. No. 160 of 2023 on the file of the Family Court, Namakkal District and transfer the same to the file of the Family Court, Karur District.

For Petitioner : Mr. C.M.Arumugam

For Respondent : Mr.M.Alagathevan

for M/s.Spicy Law Firm

ORDER

This application for transfer of the case invoking Section 24 of the Code of Civil Procedure Code, 1908, has been filed relating to a matrimonial



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dispute between the parties. The Husband, viz., Senthilkumar has filed F.C.O.P. No. 160 of 2023 in the Family Court, Namakkal seeking for Divorce from his Wife, viz., Bhuvaneswari, which is sought to be transferred by the Wife to the Family Court, Karur.

2. Heard Mr. C.M.Arumugam, Learned Counsel for the Wife, Mr. M.Alagathevan, 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 that she would have to travel a distance of more than 50 kms from Karur to the Family Court, Namakkal to effectively defend the case filed against her by the Husband. That apart, she is residing with her age old parents, which relevant factor remains uncontroverted.

4. In such circumstances, this Court is of the considered view that balance of convenience is in favour of conducting the proceedings at the Court within whose territorial limits of jurisdiction the residence of the Wife is located.



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5. In view of the foregoing discussion, the case in F.C.O.P. No. 160 of 2023 on the file of the Family Court, Namakkal is transferred to the Family Court, Karur, where the Wife is residing and both parties shall appear before that Court on the next date of hearing, which is fixed as 05.06.2024, for conduct of further proceedings from its present stage and on the subsequent dates to which it is adjourned from time to time till 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.

23.04.2024

Index : Yes/No
NCC : Yes/No
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TO:

- 1.The Family Court, Namakkal.
- 2.The Family Court, Karur.



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P.D.AUDIKESAVALU,J.

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- 3.K.Bhuvaneswari,
W/o.Senthilkumar,
Door No. 65, Erode Main Road,
Velayuthampalayam,
Punjai Pugalur,
Karur District.
- 4.P.Senthilkumar,
S/o.Palaniappan,
Door No.5/21, Josiyankadu,
Perumpalipattu,
Namakkal District.
- 5.The Section Officer,
Vernacular Records Section,
Madurai Bench of Madras High Court,
Madurai.

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