



TRCMP. (MD) No. 101 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.04.2024

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

**TRCMP. (MD) No. 101 of 2024
and
C.M.P. (MD) No. 1911 of 2024**

E.M.Asuveetha

... Petitioner / Respondent

-VS-

B.Balavivek

... Respondent / Petitioner

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, 1908, to withdraw the case in H.M.O.P. No. 252 of 2022 on the file of the Principal Additional Subordinate Court, Hosur, Krishnakiri District and transfer the same to the Family Court, Tirunelveli.

For Petitioner : Mr. Sivakumar Rajappan

For Respondent : Mr. T.Veerakumar

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., B.Balavivek has filed H.M.O.P. No.



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252 of 2022 in the Principal Sub- Court, Hosur, Krishnagiri District, seeking for Divorce against his wife, viz., E.M.Asuveetha, which is sought to be transferred by the Wife to the Family Court, Tirunelveli.

2. Heard Mr. Sivakumar Rajappan, Learned Counsel for the Wife and Mr. T.Veerakumar, 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 550 kms from Keelanatham, Tirunelveli District to the Principal Sub-Court, Hosur, Krishnagiri District to effectively defend the case filed against her by the Husband.

4. At this stage, Learned Counsel appearing for the Husband and the Wife agree that the case may be conducted at the Sub-Court, Madurai, which is at a convenient location for access to both parties, and they have made a joint endorsement to that effect in the Court record.

5. In view of the foregoing discussion, the case in H.M.O.P. No. 252 of 2022 on the file of the Principal Sub- Court, Hosur, Krishnagiri District is



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transferred to the Sub-Court, Madurai 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.

17.04.2024

Index : Yes/No

Internet : Yes/No

TSG

To

1. The Principle Additional Subordinate Judge, Hosur, Krishnakiri District.
2. The Sub-Court, Madurai.
3. The Section Officer, Vernacular Records Section,
Madurai Bench of Madras High Court, Madurai.
4. E.M.Asuveetha,
D/o. Esakimuthu,
No. 200, Vivekandhana Nagar,
KTC Street, Keelanatham,
Tirunelveli District.
5. B. Balavivek,



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S/o. Balakrishnan,
2/245, 15th Street, Krishna Nagar,
Hosur, Kirishnakiri District.

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P.D. AUDIKESAVALU, J.



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