



TR.C.M.P(MD).No.102 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 22.03.2024

CORAM :

THE HONOURABLE Mr.JUSTICE G.ILANGO VAN

TR.C.M.P(MD)No.102 of 2024

and

C.M.P(MD)No.1956 of 2024

Seema

... Petitioner

Vs

Sankar Narayanan

... Respondent

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to call for the records relating to the HMOP in HMOP No.184 of 2023 on the file of the Additional Sub Court, Srivilliputhur, Virudhunagar District and withdraw and transfer the same to the Family Court, Madurai.

For Petitioner : Mr.S.Satheesh Kumar

For Respondent : No appearance



TR.C.M.P(MD).No.102 of 2024

WEB COPY

ORDER

This Transfer Civil Miscellaneous Petition is filed to call for the records relating to HMOP No.184 of 2023 on the file of the Additional Sub Court, Srivilliputhur, Virudhunagar District and withdraw and transfer the same to the Family Court, Madurai.

2. The case of the prosecution is that the marriage between the petitioner and the respondent was solemnized on 03.06.2022 at Thiruparankundram, as per Hindu Rites and Customs. Due to some misunderstanding arose over shifting to separate house, the petitioner was driven out from the matrimonial home. Later the respondent filed H.M.O.P.No.184 of 2023 before the Additional Subordinate Court, Srivilliputhur, seeking restitution of conjugal rights. Now the petitioner is living with her parents at Madurai. Finding it difficult to travel from Madurai to Srivilliputhur, to attend the Court proceedings, this petition came to be filed seeking transfer.

3. Eventhough, notice was served upon the respondent, there was no representation for the respondent.



TR.C.M.P(MD).No.102 of 2024

4. In a matrimonial proceedings, the convenience of the wife is a relevant factor. However, considering the fact that the wife is living in a far away place from Srivilliputhur, considering the convenience of the petitioner to attend the Court proceedings, this Transfer Civil Petition is liable to be allowed.

5. Accordingly, this Transfer Civil Miscellaneous Petition is liable to be allowed. There shall be a direction to the learned Additional Subordinate Judge, Srivilliputhur, Virudhunagar District, to transfer the entire records in H.M.O.P.No.184 of 2023, immediately to the file of the Family Court, Madurai. After receiving the records, the learned Judge, Family Court, Madurai, may assign new number and issue notice to parties for appearance and dispose the case in accordance with law. Consequently, connected miscellaneous petition is closed. No costs.

22.03.2024

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

pnn

3/4



WEB COPY



TR.C.M.P(MD).No.102 of 2024

G.ILANGO VAN, J.

pnn

To

- 1.The Additional Subordinate Judge, Srivilliputhur,
Virudhunagar District.
- 2.The Judge, Family Court, Madurai,

ORDER

IN

TR.C.M.P(MD)No.102 of 2024

and

C.M.P(MD)No.1956 of 2024

22.03.2024