



Tr.CMP.(MD)No.105 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.09.2024

CORAM

THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.105 of 2024

and

C.M.P.(MD)No.1979 of 2024

K.Kavitha

.. Petitioner

Vs.

C.D.Sakthivel

.. Respondent

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceeding in H.M.O.P.No. 362 of 2023 on the file of the Family Court, Tiruchirapalli and transfer the same to the file of the Family Court, Thoothukudi.

For Petitioner : Mr.K.Jayaselan

For Respondent : Mr.S.Pandiyaraj



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ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.362 of 2023 on the file of the Family Court, Tiruchirapalli and transfer the same to the file of the Family Court, Thoothukudi.

2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 12.02.2023 at RK Mahal, Tirupathur as per Hindu Rites and Customs.

3. Due to disputes and differences, the parties have separated, and the respondent/husband has initiated the proceeding in H.M.O.P.No.362 of 2023 on the file of the Family Court, Tiruchirapalli seeking divorce.

4. Heard the learned counsel for the petitioner and the learned counsel for the respondent.

5. The learned counsel for the petitioner would submit that the petitioner/wife is now residing at Thuvipuram, Thoothukudi. The distance



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between Thoothukudi and Tiruchirapalli is around 280 Kms, and the petitioner/wife finds it very difficult to travel such a long distance for attending every Court hearing. Hence, she seeks transfer of proceeding from the file of the Family Court, Tiruchirapalli to the file of the Family Court, Thoothukudi.

6. The learned counsel for the respondent would submit that the proceeding may be transferred from Thoothukudi to Madurai, since Madurai is equidistant from the place of residence of both the petitioner and the respondent.

7. Considering the overall facts and circumstances of the case, and also considering the convenience of the wife, this Court is inclined to allow this petition.

8. The learned Judge, Family Court, Tiruchirapalli is directed to transmit the entire records, pertaining to the case in H.M.O.P.No.362 of 2023 to the file of the Family Court, Thoothukudi within a period of three weeks from the date of receipt of a copy of this order, and on receipt of such records, the learned Judge, Family Court, Thoothukudi is directed to take



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the case on file and dispose of the same as expeditiously as possible in accordance with law.

9. Accordingly, the Transfer Civil Miscellaneous Petition stands allowed. No costs. Consequently, the connected Civil Miscellaneous Petition is closed.

10.09.2024

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Index:Yes/No

Speaking Order :Yes/No

Neutral Citation:Yes/No



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P. VADAMALAI, J.

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To

- 1.The learned Judge, Family Court,
Tiruchirapalli
- 2.The learned Judge, Family Court,
Thoothukudi

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and

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