



TR.C.M.P. (MD) No. 118 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.06.2024

CORAM

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

TR.C.M.P. (MD) No. 118 of 2024
and
C.M.P. (MD) No. 2282 of 2024

Karunya Mersi

... Petitioner

-VS-

Vignesh

... Respondent

Prayer:- Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, 1908, to withdraw and transfer I.D.O.P. No. 10 of 2024 on the file of the Principal District Court, Tenkasi, to the file of the Family Court, Coimbatore.

For Petitioner : Mr. P.Krishnasamy

For Respondent : Mr. R.L.Dhilipan Pandian

ORDER

This application invoking Section 24 of the Code of Civil Procedure, 1908, has been filed relating to a matrimonial dispute between the parties. The



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Husband, viz., Vignesh, has filed I.D.O.P. No. 10 of 2024 seeking for divorce from his Wife, viz., Karunya Mersi, in the Principal District Court, Tenkasi, which is sought to be transferred by the Wife to the Family Court, Coimbatore.

2. Heard Mr. P.Krishnasamy, Learned Counsel for the Wife, and Mr. R.L.Dhilipan Pandian, Learned Counsel appearing 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 760 kms from Coimbatore to Tenkasi to effectively defend the case filed against her by the Husband and a male child is also along with the Wife, which could also find difficulty to travel for the Wife from Coimbatore to Tenkasi. 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 where the residence of the Wife is located. Consequently, the case in I.D.O.P. No. 10 of 2024 on the file of the Principal District Court, Tenkasi, is transferred to the Family Court, Coimbatore. Both parties shall appear before that Court on the next date of hearing, which is fixed as 05.07.2024, for conduct of further proceedings from



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its present stage and on the subsequent dates to which it is adjourned from time to time till final order is passed.

4. As it is represented that an effort could be made to amicably resolve the dispute between the parties through mediation, the Family Court, Coimbatore shall send photocopies of the relevant papers in I.D.O.P. No. 10 of 2024 to the Mediation and Conciliation Centre attached to this Court immediately. The Officer-in-charge of the Mediation Centre shall nominate a Trained Mediator, and both parties, shall appear before the Mediation Centre at 11.00 a.m. on 20.06.2024 and the report of its outcome shall be sent by 03.07.2024 to the Family Court, Coimbatore.

In the result, the Transfer Civil Miscellaneous Petition is disposed on the aforesaid terms. Consequently, the connected Miscellaneous Petition is closed.

No costs.

07.06.2024

Index : Yes/No
NCC : Yes/No
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Note: Issue order copy by 11.06.2024.



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P.D. AUDIKESAVALU, J.

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Copy To:-

- 1.The Principal District Court, Tenkasi.
- 2.The Family Court, Coimbatore.
- 3.The Officer Incharge,
Tamil Nadu Mediation and Conciliation Centre,
Madurai Bench of Madras High Court Campus,
Madurai – 625 023.
- 4.Karunya Mersi,
D/o. John Samuel,
4/58, Goundappagounder Street,
Periya Negamam, Pollachi Taluk,
Coimbatore District.
- 5.Vignesh,
S/o.Kadarkarai,
6C-33A, Indhra Nagar,
New Colony, Melakadaiyanallur,
Tenkasi District.

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