



TR. C.M.P. (MD) No. 166 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.04.2024

CORAM

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

TR. C.M.P. (MD) No. 166 of 2024
and
C.M.P. (MD) No. 3407 of 2024

L.Mohanapriya

... Petitioner

-VS-

G.Mano

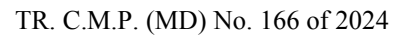
... Respondent

Prayer:- Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw and transfer H.M.O.P. No. 25 of 2024 on the file of the Family Court, Sivagangai to the Family Court, Dindigul and to be tried along with M.C. No. 5 of 2024.

For Petitioner : Mr. C.Gangai Amaran
For Respondent : No Appearance

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 Husband, *viz.*, G.Mano, has filed H.M.O.P. No. 25 of 2023 seeking for divorce from his Wife, *viz.*, L.Mohanapriya, in the Family Court, Sivagangai, which is sought to be transferred by the Wife to the Family Court, Dindigul.



4. In such circumstances and taking into account the rationale behind Section 21-A(2)(b) of the Hindu Marriage Act, 1955, 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 H.M.O.P. No. 25 of 2024 on the file of the Family Court, Sivagangai is transferred to the Family Court, Dindigul 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.

26.04.2024

Index : Yes/No
Internet : Yes/No
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To

1. The Family Court, Sivagangai.

2. The Family Court, Dindigul.

3. The Section Officer,
Vernacular Records Section,
Madurai Bench of Madras High Court,
Madurai.

4. L. Mohanapriya, D/o. Lakshmanan,
Canara Bank Backside, Sanarpatti, Natham Taluk, Dindigul District.



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P.D. AUDIKESAVALU, J.

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5.G.Mano,
S/o.Ganapathi Pillai,
Kozhikudipatti Village and Post,
Singampuneri Taluk,
Sivagangai District.

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