



Tr.CMP.(MD)No.148 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.08.2024

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THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.148 of 2024

and

C.M.P.(MD)No.3144 of 2024

C.Abirami

.. Petitioner

Vs.

K.Nagaraj

.. Respondent

Prayer : The 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.242 of 2022 on the file of the Sub Court, Thirumangalam and transfer the same to the file of the Family Court, Karur.

For Petitioner : Mr.J.Imran Khan

For Respondent : Mr.S.Krishnan



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ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.242 of 2022 on the file of the Sub Court, Thirumangalam and transfer the same to the file of the Family Court, Karur.

2. The petitioner is the wife and the respondent is the husband. Their marriage was solemnized on 12.09.2018 at Madurai. Out of the wedlock, a male child, namely Elan, was born on 01.03.2020.

3. Due to disputes and differences, the respondent has initiated the proceeding seeking divorce in H.M.O.P.No.242 of 2022 on the file of the Sub Court, Thirumangalam.

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

5. The learned counsel for the petitioner would submit that the petitioner/wife is the resident of Thanthoni, Karur District. The distance



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between Karur and Thirumangalam is about 400 Kms to and fro, and as the petitioner/wife finds it very difficult to travel such a long distance along with the 3 year old child, she seeks transfer of proceeding from the file of the Sub Court, Thirumangalam to the file of the Family Court, Karur.

6. The learned counsel for the respondent would submit that the petitioner/wife has not raised any valid grounds, and she is the resident of Thirupparankundram. Hence, he prays for dismissal of this petition.

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

8. The learned Judge, Sub Court, Thirumangalam is directed to transmit the entire records pertaining to the case in H.M.O.P.No.242 of 2022 to the Family Court, Karur within a period of three weeks from the date of receipt of a copy of this order. On receipt of such records, the learned Judge, Family Court, Karur is directed to take the case on file and dispose of the same in accordance with law.



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

19.08.2024

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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, Sub Court,
Thirumangalam
- 2.The learned Judge, Family Court,
Karur

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and
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