



Tr.C.M.P.(MD)No.142 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.11.2024

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Tr.C.M.P.(MD)No.142 of 2022
and
C.M.P.(MD)No.2741 of 2022

W.Jayanthi

... Petitioner

Vs.

R.Pradeep Kumar

... Respondent

Prayer : This Transfer Civil Miscellaneous Petition filed under Section 24 C.P.C., to withdraw H.M.O.P.No.830 of 2021 on the file of the learned Family Court, Coimbatore and transfer the same to learned Family Court, Srivilliputhur, Virudhunagar District.

(prayer is amended vide Court order dated 13.11.2024 in CMP(MD)No. 16307/2024 in TrCMP(MD)No.142 of 2022)

For Petitioner : Ms.R.Chinnaponny

For Respondent : Mr.T.Veerakumar



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ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw the case on the file of the Family Court, Coimbatore, in H.M.O.P.No.830 of 2021 and transfer the same to the Family Court, Srivilliputhur, Virudhunagar District.

2. Heard the learned counsel on either side.

3. It is not in dispute that the marriage between the petitioner and the respondent was solemnized on 23.03.2005 and it is a inter-caste marriage.

4. The learned counsel appearing for the petitioner would submit that the respondent has filed a petition seeking divorce in H.M.O.P.No.830 of 2021 and the same is pending on the file of the Family Court, Coimbatore and that the petitioner finds it difficult to travel from Sivakasi to Coimbatore for attending hearing. She would further submit that when the petitioner came out from the Family Court, Coimbatore, she was attacked by the respondent and another and on that basis, FIR came to be



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registered in Crime No.168 of 2022 on the file of Race Course Police Station.

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5. The learned counsel appearing for the respondent would submit that even in the divorce petition, it has been specifically stated that the petitioner has attacked the respondent before the police at the time of enquiry.

6. The learned counsel appearing for the respondent would submit that the case may be transferred to Thirumangalam, which is nearby to the resident of the petitioner area also. The learned counsel appearing for the petitioner would fairly concede the same.

7. Considering the above facts and circumstances and recording the submissions made on either side, the case in H.M.O.P.No.830 of 2021 is ordered to be withdrawn from the file of the Family Court, Coimbatore, and transfer to the file of the Subordinate Court, Thirumangalam. Accordingly, the learned Judge of Family Court, Coimbatore, is hereby directed to transmit the entire records in H.M.O.P.No.830 of 2021 to the



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file of the Subordinate Court, Thirumangalam, within a period of 10 days from the date of receipt of a copy of this order and on receiving the case bundle, the learned Judge of Subordinate Court, Thirumangalam, is directed to take up the petition on file and proceed in accordance with law.

8. With the above direction, the Transfer Civil Miscellaneous Petition stands allowed. Consequently, connected Miscellaneous Petition is closed. No costs.

13.11.2024

NCC :yes/No
Index :yes/No
Internet:yes/No
csm

To

1. The Family Court,
Coimbatore.
2. The Subordinate Court,
Thirumangalam.
3. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
Tr.C.M.P.(MD)No.142 of 2022
and
C.M.P.(MD)No.2741 of 2022

Dated : 13.11.2024