



TR CMP(MD)Nos.174 and 208 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 03.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

**TR CMP(MD)Nos.174 and 208 of 2024
and
C.M.P.(MD)Nos.3855 and 4537 of 2024**

M.Kalaiselvi

... Petitioner/Respondent
in both petitions

vs.

R.Pandeeswaran

... Respondent/ Petitioner
in both petitions

Prayer in TR.C.M.P(MD)No.174 of 2024:- Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw the case in G.W.O.P.No.191 of 2022 on the file of the Principal District Judge, Madurai and transfer the same to the file of the Family Court, Namakkal.

Prayer in TR.C.M.P(MD)No.208 of 2024:- Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw the case in H.M.O.P.No.232 of 2022 on the file of the III Additional Sub Court, Madurai and transfer the same to the file of the Family Court, Namakkal.



TR CMP(MD)Nos.174 and 208 of 2024

In both petitions:

For Petitioner : Mr.N.Shyllappakalyan

For Respondent : No Appearance

COMMON ORDER

These Transfer Civil Miscellaneous Petitions are filed by the same petitioner/wife as against the same husband.

2.Heard the learned counsel appearing on behalf of the petitioner. Eventhough notice is served, the respondent/husband has not appeared before this Court.

3.As far as the prayer in TR.CMP(MD)No.174 of 2024 is concerned, the same is to transfer the case in GWOP No.191 of 2022 on the file of the Principal District Judge, Madurai to the file of the Family Court, Namakkal. It is seen that the minor is ordinarily residing now in Namakkal only with that of the petitioner/wife. Therefore, as per Section 9 of the Guardians and Wards Act, it is just and necessary that the case shall be proceeded in the said Court alone. As far as the TR.CMP(MD)No.208 of 2024 is concerned, the same is to withdraw the case in HMOP No.232



TR CMP(MD)Nos.174 and 208 of 2024

WEB COPY

of 2022 on the file of the III Additional Sub Court, Madurai to the file of the Family Court, Namakkal.

4.Considering the fact that the wife is pleading hardship finding it difficult to travel from Namakkal to Madurai and considering the fact that the GWOP is also now being transferred to Namakkal, these petitions are ordered as prayed for.

5.In the result, both the Transfer Civil Miscellaneous Petitions are ordered on the following lines:

(i) GWOP No.191 of 2022 is withdrawn from the file of the learned Principal District Judge, Madurai to the file of the Family Court, Namakkal;

(ii) HMOP No.232 of 2022 is also withdrawn from the file of the III Additional Sub Court, Madurai and transferred to the file of the Family Court, Namakkal.

No costs. consequently, connected miscellaneous petitions are closed.

03.07.2024

NCC : Yes / No
sjj



TR CMP(MD)Nos.174 and 208 of 2024

D.BHARATHA CHAKRAVARTHY, J.

sjj

To

- 1.The Principal District Judge, Madurai.
- 2.The Family Court, Namakkal.
- 3.The III Additional Sub Court, Madurai.

TR CMP(MD)Nos.174 and 208 of 2024
and
C.M.P.(MD)Nos.3855 and 4537 of 2024

03.07.2024