



Tr.CMP.(MD)No.189 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.08.2024

CORAM

THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.189 of 2024

and

C.M.P.(MD)No.4182 of 2024

Masanamani

.. Petitioner

Vs.

T.Manikandan

.. 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.19 of 2024 on the file of the Family Court, Villupuram and transfer the same to the file of the District Court, Thoothukudi.

For Petitioner : Mr.V.Rajiv Rufus

For Respondent : Mr.A.Sivasubramanian



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ORDER

WEB COPY The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.19 of 2024 on the file of the Family Court, Villupuram and transfer the same to the file of the District Court, Thoothukudi.

2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 27.10.2021 at Tiruchendhur Murugan Temple in Thoothukudi. Out of the wedlock, a female child was born on 06.10.2022.

3. Due to disputes and differences, the respondent, who is the resident of Villupuram District, has initiated the proceeding seeking divorce in H.M.O.P.No.19 of 2024 on the file of the Family Court, Villupuram.

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 Ottapidaram Taluk, Thoothukudi District.



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The distance between Thoothukudi and Villupuram is about 440 Kms, and as the petitioner/wife finds it very difficult to travel such a long distance along with the child to attend the Court hearings at Villupuram, she seeks transfer of proceeding from the file of the Family Court, Villupuram to the file of the District Court, Thoothukudi.

6. The learned counsel for the respondent has raised only formal objections to this transfer petition.

7. Taking into consideration of the 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, Family Court, Villupuram is directed to transmit the entire records pertaining to the case in H.M.O.P.No.19 of 2024 within a period of three weeks from the date of receipt of a copy of this order to the District Court, Thoothukudi. On receipt of such records, the learned Judge, District Court, Thoothukudi 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.

20.08.2024

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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, Family Court,
Villupuram

2.The learned Judge, District Court,
Thoothukudi

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