



Tr.CMP.(MD)No.181 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 28.08.2024

CORAM

THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.181 of 2024

and

C.M.P.(MD)No.4000 of 2024

Chitra

.. Petitioner

Vs.

Parthiban

.. Respondent

Prayer : 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.62 of 2023 on the file of the Principal Sub Court, Tindivanam, Villupuram District and transfer the same to the file of the Family Court, Thoothukudi, Thoothukudi District.

For Petitioner : Mr.N.Pragalathan

For Respondent : No Appearance

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.62 of 2023 on the file of the



Tr.CMP.(MD)No.181 of 2024

Principal Sub Court, Tindivanam, Villupuram District and transfer the same to the file of the Family Court, Thoothukudi, Thoothukudi District.

2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 09.09.2021 at Sri Subramaniya Swamy Temple, Tiruchendur as per Hindu Rites and Customs.

3. Subsequently, due to disputes and differences, the parties have separated, and the respondent/husband has initiated the proceeding in H.M.O.P.No.62 of 2023 on the file of the Principal Sub Court, Tindivanam seeking divorce.

4. The name of the respondent has been printed in the cause list. Despite the name has been printed in the cause list, the respondent/husband has neither entered appearance through a counsel nor in-person to oppose this transfer petition.

5. Heard the learned counsel appearing for the petitioner.



Tr.CMP.(MD)No.181 of 2024

6. The learned counsel for the petitioner would submit that the petitioner/wife is the resident of Mangalakurichi Village, Thoothukudi District. The distance between Thoothukudi and Tindivanam is around 500 Kms, and the petitioner/wife finds it very difficult to travel such a long distance for attending every Court hearing. Hence, she seeks transfer of proceeding from the file of the Principal Sub Court, Tindivanam to the file of the Family Court, Thoothukudi.

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, Principal Sub Court, Tindivanam is directed to transmit the entire records, pertaining to the case in H.M.O.P.No.62 of 2023 to the file of the Family Court, Thoothukudi, Thoothukudi District within a period of three weeks from the date of receipt of a copy of this order, and on receipt of such records, the learned Judge, Family Court, Thoothukudi, Thoothukudi District is directed to take the case on file and dispose of the same in accordance with law.



Tr.CMP.(MD)No.181 of 2024

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

28.08.2024

mkn

Index:Yes/No

Speaking Order :Yes/No

Neutral Citation:Yes/No



WEB COPY



Tr.CMP.(MD)No.181 of 2024

P. VADAMALAI, J.

mkn

To

- 1.The learned Judge, Principal Sub Court,
Tindivanam, Villupuram District
- 2.The learned Judge, Family Court,
Thoothukudi, Thoothukudi District

Tr.CMP.(MD)No.181 of 2024
and
C.M.P.(MD)No.4000 of 2024

28.08.2024