



Tr.CMP.(MD)No.194 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 23.08.2024

CORAM

THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.194 of 2024

and

C.M.P.(MD)No.4299 of 2024

Arul Jothi

.. Petitioner

Vs.

K.S.Vasan

.. 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.14 of 2024 on the file of the Family Court, Cuddalore and transfer the same to the file of the Family Court, Thanjavur.

For Petitioner : Mr.P.Edin Brough

For Respondent : No Appearance

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.14 of 2024 on the file of the



Tr.CMP.(MD)No.194 of 2024

Family Court, Cuddalore and transfer the same to the file of the Family Court, Thanjavur.

2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 03.02.2017 at Thirupathi as per Hindu Rites and Customs. From the wedlock, two children were born.

3. Due to disputes and differences, the parties have separated, and the respondent/husband has initiated the proceeding seeking divorce in H.M.O.P.No.14 of 2024 on the file of the Family Court, Cuddalore.

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

5. Heard the learned counsel appearing on behalf of the petitioner.



Tr.CMP.(MD)No.194 of 2024

WEB COPY

6. The learned counsel for the petitioner would submit that the petitioner/wife is the resident of Pattukottai Taluk, Thanjavur District. The distance between Thanjavur and Cuddalore is around 165 Kms, and the petitioner/wife finds it very difficult to travel such a long distance along with two children. Hence, she seeks transfer of proceeding from the file of the Family Court, Cuddalore to the file of the Family Court, Thanjavur.

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, Cuddalore is directed to transmit the entire records, pertaining to the case in H.M.O.P.No.14 of 2024 to the file of the Family Court, Thanjavur 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, Thanjavur is directed to take the case on file and dispose of the same in accordance with law.



Tr.CMP.(MD)No.194 of 2024

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

23.08.2024

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Index:Yes/No

Speaking Order :Yes/No

Neutral Citation:Yes/No



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Tr.CMP.(MD)No.194 of 2024

P. VADAMALAI, J.

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To

- 1.The learned Judge, Family Court,
Cuddalore
- 2.The learned Judge, Family Court,
Thanjavur

Tr.CMP.(MD)No.194 of 2024
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C.M.P.(MD)No.4299 of 2024

23.08.2024