



Tr.CMP.(MD)No.191 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.08.2024

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THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.191 of 2024

and

C.M.P.(MD)No.4218 of 2024

Jeya Sheela

.. Petitioner

Vs.

Dinesh Raja

.. Respondent

Prayer : The Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceeding in D.O.P.No. 15 of 2024 on the file of the Principal District Court, Thoothukudi and transfer the same to the file of the Principal District Court, Tirunelveli.

For Petitioner : Mr.P.Samuel Gunasingh

For Respondent : No Appearance



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ORDER

WEB COPY The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in D.O.P.No.15 of 2024 on the file of the Principal District Court, Thoothukudi and transfer the same to the file of the Principal District Court, Tirunelveli.

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 Irudhaya Aandavar Church, Tirunelveli as per Christian Rites and Customs. Out of the wedlock, a child was born, who is aged about 1 year as of today.

3. Due to disputes and differences, the respondent/husband has initiated the proceeding in D.O.P.No.15 of 2024 on the file of the Principal District Court, Thoothukudi seeking divorce.

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.



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5. Heard the learned counsel appearing for the petitioner.

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6. The learned counsel for the petitioner would submit that the petitioner/wife is the resident of Tirunelveli, and the distance between Tirunelveli and Thoothukudi is about 100 Kms to and fro. Therefore, she finds it very difficult to travel such a long distance along with the one year old child for every Court hearing at Thoothukudi. Hence, she seeks transfer of proceeding from the file of the Principal District Court, Thoothukudi to the file of the Principal District Court, Tirunelveli.

7. Taking into consideration of the facts and circumstances of the case, and considering the convenience of the wife, this Court is inclined to allow this transfer petition.

8. The learned Judge, Principal District Court, Thoothukudi is directed to transmit the entire records pertaining to the case in D.O.P.No.15 of 2024 to the Principal District Court, Tirunelveli 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, Principal District Court, Tirunelveli 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.

19.08.2024

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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, Principal District Court,
Thoothukudi
- 2.The learned Judge, Principal District Court,
Tirunelveli

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