



Tr.C.M.P(MD)No.227 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.08.2024**

CORAM

THE HON'BLE MR.JUSTICE P.VADAMALAI

Tr.C.M.P(MD)No.227 of 2024

and

C.M.P(MD)No.5070 of 2024

B.V.Kiruthika

... Petitioner

Vs.

P.Ethiraj

... Respondent

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, 1908, to withdraw and transfer the H.M.O.P.No.67 of 2023 on the file of the Sub Court, Arani, to the file of the Family Court, Madurai or any other Court in Madurai.

For Petitioner : Mr.P.M.Vishnuvarthanan

For Respondent : No appearance

ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw the H.M.O.P.No.67 of 2023 on the file of the Sub Court, Arani, and transfer the same to the file of the Family Court, Madurai.

2. The petitioner herein is the wife and the respondent is the



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husband. The marriage between the petitioner and the respondent was solemnized on 08.09.2022.

3. Heard the learned Counsel for the petitioner.

4. The name of the respondent has been printed in the cause list. However, he has not chosen to appear before this Court either in person or through Counsel.

5. The learned Counsel appearing for the petitioner would submit that the petitioner is now residing in Madurai. The distance between Arani and Madurai is more than 770 kms up and down and it is very difficult for the petitioner to travel each and every hearing to attend H.M.O.P.No.67 of 2023, before the Sub Court, Arani. In the above circumstances, she filed the present Transfer Civil Miscellaneous Petition to transfer H.M.O.P.No.67 of 2023, on the file of Sub Court, Arani, to the file of the Family Court, Madurai.

6. Being satisfied with the reasons stated in the affidavit filed in support of this petition and also considering the convenience of the petitioner/wife, this Court is inclined to allow this petition.



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7. Accordingly, the Transfer Civil Miscellaneous Petition stands allowed and H.M.O.P.No.67 of 2023 pending on the file of the Sub Court, Arani, is hereby withdrawn and transferred to the file of the Family Court, Madurai.

8. The learned Sub Judge, Arani, is directed to transmit the entire records pertaining to the case in H.M.O.P.No.67 of 2023 to the transferee Court, within a period of three weeks from the date of receipt of a copy of this order. On such receipt, the learned Judge, Family Court, Madurai, is directed to take this case on file and dispose the same as expeditiously as possible in accordance with law. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

12.08.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes

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P.VADAMALAI, J.

jbr

To

- 1.The Sub Court, Arani.
- 2.The Family Court, Madurai.

Order made in
Tr.C.M.P(MD)No.227 of 2024

12.08.2024