



Tr.C.M.P(MD)No.242 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.07.2024**

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Tr.C.M.P(MD)No.242 of 2024

and

C.M.P(MD)No.5645 of 2024

V.Hema

... Petitioner/ Respondent

Vs.

S.Saravanan

... Respondent/ Petitioner

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, to withdraw H.M.O.P.No.78 of 2024 on the file of the Family Court, Sivagangai and transfer the same to the file of the Family Court, Trichy to be tried along with M.C.No.15 of 2024 on the file of Family Court, Trichy.

For Petitioner : Mr.T.Lenin Kumar

For Respondent : Mr.K.Neelamegam

ORDER

The prayer in the present Transfer Civil Miscellaneous Petition is to withdraw H.M.O.P.No.78 of 2024 on the file of the Family Court,



Tr.C.M.P(MD)No.242 of 2024

Sivagangai to the file of the Family Court, Trichy.

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2. The reasons mentioned are already M.C.No.15 of 2024 filed by the wife which is pending before the Family Court, Trichy. She is also pleading hardship stating that she is living with her one year child and aged parents.

3. Per contra, the learned counsel appearing for the husband would oppose the said prayer and submit that the petition is vexatious. She would further submit that the respondent husband is also willing for mediation. However, the wife is not coming for any solution.

4. I have considered the rival submissions made on either side.

5. For referring this matter to mediation, the learned counsel for the petitioner wife is submitting that since the petitioner is living at Trichy with one year old child, she is unable to travel upto Madurai.

6. In view thereof, let mediation if any, can be done in the Family



Tr.C.M.P(MD)No.242 of 2024

Court, Trichy itself. In view of the hardship pleaded by the wife, I am inclined to allow this petition. This Transfer Civil Miscellaneous Petition is allowed on the following terms:

H.M.O.P.No.78 of 2024 is withdrawn from the file of the Family Court, Sivagangai and transferred to Family Court, Trichy to be tried along with M.C.No.15 of 2024.

7. In view of the above terms, this Transfer Civil Miscellaneous Petition stands allowed. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

03.07.2024

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

- 1.The Family Court,
Sivagangai
- 2.The Family Court,
Trichy.
- 3.The Record Keeper,

3/4



Tr.C.M.P(MD)No.242 of 2024

Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.

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D.BHARATHA CHAKRAVARTHY,J.

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Order made in
Tr.C.M.P(MD)No.242 of 2024

03.07.2024