



Tr.CMP.(MD)No.253 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.09.2024

CORAM

THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.253 of 2024

and

C.M.P.(MD)No.5908 of 2024

Bhuvaneswari

.. Petitioner

Vs.

Rajasekaran

.. 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.37 of 2024 on the file of the Sub Court, Thiruvarur and transfer the same to the file of the Principal Sub Court, Trichy.

For Petitioner : Mr.N.R.Murugesan

For Respondent : No Appearance



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ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.37 of 2024 on the file of the Sub Court, Thiruvarur and transfer the same to the file of the Principal Sub Court, Trichy.

2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 07.02.1990 at Selvam Marriage Hall, Ramachandrapuram Agraharam, Pudukkottai. Out of the wedlock, a male child was born on 10.12.1990.

3. Due to disputes and differences, the parties have separated, and the respondent/husband has initiated the proceeding in H.M.O.P.No.37 of 2024 on the file of the Sub Court, Thiruvarur 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.



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WEB COPY 5. Heard the learned counsel for the petitioner.

6. The learned counsel for the petitioner would submit that the petitioner/wife is the resident of Lalgudi, Trichy District. The distance between Trichy and Thiruvarur is around 150 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 Sub Court, Thiruvarur to the file of the Principal Sub Court, Trichy.

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 petition.

8. The learned Judge, Sub Court, Thiruvarur is directed to transmit the entire records, pertaining to the case in H.M.O.P.No.37 of 2024 to the Principal Sub Court, Trichy 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 Sub Court, Trichy 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, the Transfer Civil Miscellaneous Petition stands allowed. No costs. Consequently, the connected Civil Miscellaneous Petition is closed.

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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, Sub Court,
Thiruvarur
- 2.The learned Judge, Principal Sub Court,
Trichy

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