



TR.CMP(MD).No. 257 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.08.2024

CORAM :

THE HON'BLE MR JUSTICE P. VADAMALAI

TR.CMP(MD).No.257 of 2024

and

CMP(MD).No.5937 of 2024

U.Krishnapriya

... Petitioner

Vs.

Thanishkumar

... Respondent

PRAYER:- Petition filed under Section 24 C.P.C., to withdraw the case on the file of the Family Court, Tirupur, in H.M.O.P.No.590 of 2023 and transfer the same to the Family Court, Nagercoil, Kanniyakumar District.

For Petitioner : Mr.K.Ragatheesh Kumar
for M/S.Issac Chambers

For Respondent : No appearance



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ORDER

This Transfer Civil Miscellaneous Petition is filed seeking to withdraw the case in H.M.O.P.No.590 of 2023 on the file of the Family Court, Tirupur and transfer the same to the file of the Family Court, Nagercoil, Kanniyakumari District.

2. The petitioner herein is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 16.09.2015 as per Hindu Rites and Customs.

3. The learned Counsel for the petitioner submits that one female child was born through the wedlock. Due to mis-understanding between the petitioner and the respondent, the petitioner was left from the matrimonial home along with her minor child. Thereafter, the respondent filed H.M.O.P.No.590 of 2023, before the Family Court, Tirupur, for divorce. Now, the petitioner is residing in her parents house along with her minor child. The distance between Tirupur and Nagercoil is approximately 800 kilometers and it is very difficult for the petitioner to travel each and every hearing to attend H.M.O.P.No.590 of 2023, before



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the Family Court, Tirupur. In the above circumstances, she filed the present Transfer Civil Miscellaneous Petition to transfer H.M.O.P.No.590 of 2023, before the Family Court, Tirupur, to the file of the Family Court, Nagercoil, Kanniyakumari District.

4. Even though the notice was served upon the respondent, he has not chosen to appear before this Court either in person or through counsel. So after hearing the learned Counsel for the petitioner, this order is passed.

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

6. Accordingly, the Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.590 of 2023 pending on the file of the Family Court, Tirupur, is hereby withdrawn and transferred to the file of Family Court, Nagercoil, Kanniyakumari District. The learned Judge, Family Court, Tirupur, is directed to transmit the entire records pertaining to the case in H.M.O.P.No.590 of 2023 to the transferee Court, within a period



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of 10 days from the date of receipt of a copy of this order. On such receipt, the learned Judge, Family Court, Nagercoil, Kanniyakumari District, is directed to take the case on file and dispose the same as expeditiously as possible. No costs. Consequently, connected Miscellaneous Petition is closed.

09.08.2024

Internet : Yes / No

Index : Yes / No

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To

1. The Family Court, Tirupur.
2. The Family Court, Nagercoil, Kanniyakumari District,



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P. VADAMALAI, J.

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