



Tr.CMP.(MD)No.274 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.274 of 2024

and

C.M.P.(MD)No.6249 of 2024

S.Priya Dharshini

.. Petitioner

Vs.

Muthukumar

.. Respondent

Prayer : The 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.124 of 2024 on the file of the Family Court, Thoothukudi, Thoothukudi District and transfer the same to the file of the Family Court, Srivilliputtur, Virudhunagar District.

For Petitioner : Mr.M.Jothi Basu

For Respondent : Mr.K.Jeyamohan



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ORDER

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The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.124 of 2024 on the file of the Family Court, Thoothukudi, Thoothukudi District and transfer the same to the file of the Family Court, Srivilliputtur, Virudhunagar District.

2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 12.09.2022 as per Hindu Rites and Customs. Out of the wedlock, a female child was born, who is aged about 9 months as of today.

3. Due to disputes and differences, the parties are living separately, and the respondent/husband has initiated the proceeding seeking divorce in H.M.O.P.No.124 of 2024 on the file of the Family Court, Thoothukudi.

4. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent.

5. The learned counsel for the petitioner would submit that the petitioner/wife is the resident of Srivilliputtur. The distance between



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Srivilliputtur and Thoothukudi is about 200 Kms, and the petitioner/wife finds it very difficult to travel such a long distance along with the 9 month old child. Hence, she seeks transfer of proceeding from the file of the Family Court, Thoothukudi to the file of the Family Court, Srivilliputtur.

6. The learned counsel for the respondent would submit that the case may be transferred to any of the Sub Court in Virudhunagar District except the Courts at Srivilliputtur. The learned counsel for the petitioner has also consented for the same, and requested this Court to transfer the case to the file of the Sub Court, Sivakasi.

7. Taking into consideration of the above facts and circumstances of the case, the proceeding in H.M.O.P.No.124 of 2024 pending on the file of the Family Court, Thoothukudi, Thoothukudi District is withdrawn and transferred to the file of the Sub Court, Sivakasi.

8. The learned Judge, Family Court, Thoothukudi is directed to transmit the entire records, pertaining to the case in H.M.O.P.No.124 of 2024 within a period of two weeks from the date of receipt of a copy of this order, to the Sub Court, Sivakasi, and on receipt of such records, the learned



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Judge, Sub Court, Sivakasi is directed to take the case on file and dispose of the same as expeditiously as possible in accordance with law.

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, Family Court,
Thoothukudi, Thoothukudi District
- 2.The learned Judge, Sub Court,
Sivakasi

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and
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