



Tr.C.M.P(MD)No.400 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.08.2024**

CORAM

THE HON'BLE MR.JUSTICE P.VADAMALAI

Tr.C.M.P(MD)No.400 of 2024
and
C.M.P(MD)No.8737 of 2024

S.Anandha Swarna

... Petitioner

Vs.

S.Nilesh Barani

... Respondent

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, 1908, to withdraw and transfer the above H.M.O.P.No.132 of 2024 on the file of the learned Family Court, Tuticorin to the learned Sub Court, Sivakasi, Virudhunagar District.

For Petitioner : Mr.J.Vishnu

For Respondent : Mr.G.Mohan Kumar



Tr.C.M.P(MD)No.400 of 2024

ORDER

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The Transfer Civil Miscellaneous Petition is filed to withdraw and transfer the above H.M.O.P.No.132 of 2024 on the file of the learned Family Court, Tuticorin to the learned Sub Court, Sivakasi, Virudhunagar 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 03.01.2023 and the same was registered under SI.No.TMR/Sivakasi/3/2023. Subsequently, misunderstanding arose between the parties and now the respondent / husband has filed a petition in H.M.O.P.No.132 of 2024 before the Family Court, Tuticorin, seeking divorce.

3. On a perusal of the affidavit filed in support of the application, the wife has pleaded hardship as she is residing at Sivakasi along with her parents and she is also having a child.

4. The learned Counsel appearing for the respondent objected this petition and pleaded to dismiss this petition.



Tr.C.M.P(MD)No.400 of 2024

WEB COPY

5. Heard the learned Counsel for the petitioner and the learned Counsel for the respondent.

6. Considering the over all facts and circumstance of the case and also considering the convenience of the petitioner / wife, this Court is inclined to allow this petition.

7. Accordingly, the Transfer Civil Miscellaneous Petition stands allowed and H.M.O.P.No.132 of 2024 pending on the file of the Family Court, Tuticorin is hereby withdrawn and transferred to the file of the Sub Court, Sivakasi, Virudhunagar District, to be heard and disposed of in accordance with law. The learned Judge, Family Court, Tuticorin is directed to transmit the entire records pertaining to the case in H.M.O.P.No.132 of 2024 to the transferee Court, within two weeks from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

07.08.2024



Tr.C.M.P(MD)No.400 of 2024

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

To

- 1.The Family Court,
Tuticorin.
- 2.The Sub Court, Sivakasi,
Virudhunagar District.
- 3.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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Tr.C.M.P(MD)No.400 of 2024

P.VADAMALAI, J.

BTR

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Order made in
Tr.C.M.P(MD)No.400 of 2024

07.08.2024