



Tr.CMP.(MD)Nos.306 & 307 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 04.09.2024

CORAM

THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)Nos.306 & 307 of 2024

and

C.M.P.(MD)Nos.7019 & 7020 of 2024

K.Sukirtha

.. Petitioner in
both Tr.CMPs.(MD)

Vs.

R.Gowtham

.. Respondent in
both Tr.CMPs.(MD)

Prayer in Tr.C.M.P.(MD)No.306 of 2024 : 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.629 of 2023 on the file of the Family Court, Karur and transfer the same to the file of the Special Family Court, Madurai.

Prayer in Tr.C.M.P.(MD)No.307 of 2024 : 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.239 of 2023 on the file of the Family Court, Karur and transfer the same to the file of the Special Family Court, Madurai.



WEB COPY



Tr.CMP.(MD)Nos.306 & 307 of 2024

For Petitioner : Mr.R.L.Dhilipan Pandian
(in both Tr.CMPs.(MD))

For Respondent : Mr.S.Prabhu
(in both Tr.CMPs.(MD))

COMMON ORDER

These Transfer Civil Miscellaneous Petitions have been filed to withdraw the proceedings in H.M.O.P.Nos.629 of 2023 and 239 of 2023 on the file of the Family Court, Karur and transfer the same to the file of the Special Family Court, Madurai.

2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 09.09.2021 at N.S.Mahal, Aravakurichi, Karur District. Out of the wedlock, a female child, namely G.S.Maanvi, was born on 06.06.2022.

3. Due to disputes and differences, the parties have separated, and the petitioner/wife has initiated the proceeding in H.M.O.P.No.239 of 2023 on the file of the Family Court, Karur seeking divorce. Subsequently, the respondent/husband has initiated the proceeding in H.M.O.P.No.629 of 2023 on the file of the Family Court, Karur seeking restitution of conjugal rights.



Tr.CMP.(MD)Nos.306 & 307 of 2024

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

5. The learned counsel for the petitioner would submit that the petitioner/wife is now residing at Pethaniapuram, Madurai District. The distance between Pethaniapuram and Karur is around 160 Kms, and the petitioner/wife finds it very difficult to travel such a long distance for attending every Court hearing along with the female child. Hence, she seeks transfer of proceedings from the file of the Family Court, Karur to the file of the Family Court, Madurai.

6. The learned counsel for the respondent submitted that his client has no objection for the transfer of proceedings from the file of the Family Court, Karur to the file of the Family Court, Madurai.

7. Considering the above facts and circumstances of the case, and also considering the convenience of the wife, this Court is inclined to allow these petitions.



Tr.CMP.(MD)Nos.306 & 307 of 2024

8. The learned Judge, Family Court, Karur is directed to transmit the entire records, pertaining to the cases in H.M.O.P.Nos.629 of 2023 and 239 of 2023 to the Family Court, Madurai 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, Family Court, Madurai is directed to take the cases on file, and try both the cases jointly and dispose of the same in accordance with law.

9. Accordingly, these Transfer Civil Miscellaneous Petitions stand allowed. No costs. Consequently, the connected Civil Miscellaneous Petitions are closed.

04.09.2024

mkn

Index:Yes/No

Speaking Order :Yes/No

Neutral Citation:Yes/No



WEB COPY



Tr.CMP.(MD)Nos.306 & 307 of 2024

P. VADAMALAI, J.

mkn

To

- 1.The learned Judge, Family Court,
Karur
- 2.The learned Judge, Family Court,
Madurai

Tr.CMP.(MD)Nos.306 & 307 of 2024
and
C.M.P.(MD)Nos.7019 & 7020 of 2024

04.09.2024