WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

**DATED : 27.08.2024**

CORAM

**THE HON'BLE MR JUSTICE P. VADAMALAI**

**Tr.CMP.(MD)No.316 of 2024**
**and**
**C.M.P.(MD)No.7147 of 2024**

Vijayalakshmi .. Petitioner

Vs.

D.Sathyanarayanan alias Sathyan .. 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.52 of 2024 on the file of the Family Court, Pudukkottai and transfer the same to the file of the Family Court, Tiruchirapalli.

For Petitioner : Mr.R.Sundar

For Respondent : No Appearance

**ORDER**

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.52 of 2024 on the file of the


https://www.mhc.tn.gov.in/judis

WEB COPY



Family Court, Pudukkottai and transfer the same to the file of the Family Court, Tiruchirapalli.

2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 10.03.2021 at Srirangam, Trichy. Out of the wedlock, a female child was born, who is aged about 1 year as of today.

3. Due to disputes and differences, the parties have separated, and the respondent/husband has initiated the proceeding seeking divorce in H.M.O.P.No.52 of 2024 on the file of the Family Court, Pudukkottai.

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.

5. Heard the learned counsel appearing on behalf of the petitioner.


https://www.mhc.tn.gov.in/judis

WEB COPY



6. The learned counsel for the petitioner would submit that the petitioner/wife is now residing along with her parents at Srirangam, Trichy. The distance between Trichy and Pudukkottai is around 120 Kms to and fro, and the petitioner/wife finds it very difficult to travel such a long distance along with the one year old female child to attend every Court hearing. Hence, she seeks transfer of proceeding from the file of the Family Court, Pudukkottai to the file of the Family Court, Tiruchirapalli.

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 transfer petition.

8. The learned Judge, Family Court, Pudukkottai is directed to transmit the entire records, pertaining to the case in H.M.O.P.No. 52 of 2024 to the Family Court, Tiruchirapalli within a period of two weeks from the date of receipt of a copy of this order, and on receipt of such records, the learned Judge, Family Court, Tiruchirapalli is directed to take the case on file and dispose of the same in accordance with law.


https://www.mhc.tn.gov.in/judis

WEB COPY



9. Accordingly, the Transfer Civil Miscellaneous Petition stands allowed. No costs. Consequently, the connected Civil Miscellaneous Petition is closed.

**27.08.2024**

mkn

Index:Yes/No
Speaking Order :Yes/No
Neutral Citation:Yes/No


https://www.mhc.tn.gov.in/judis

WEB COPY



**P. VADAMALAI, J.**

mkn

To

1.The learned Judge, Family Court,
Pudukkottai

2.The learned Judge, Family Court,
Tiruchirapalli

**Tr.CMP.(MD)No.316 of 2024**
**and**
**C.M.P.(MD)No.7147 of 2024**

**27.08.2024**


https://www.mhc.tn.gov.in/judis