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Tr.C.M.P(MD)No.333 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 24.07.2024

CORAM

**THE HONOURABLE MR JUSTICE D.BHARATHA
CHAKRAVARTHY**

**Tr.C.M.P(MD)No.333 of 2024
and
C.M.P(MD)No.7422 of 2024**

B.Venika ... Petitioner/Respondent
Vs.

S.Boominathan ...Respondent/Petitioner

The Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw H.M.O.P.No.55 of 2024 on the file of the Subordinate Court, Aruppukottai, Virudhunagar District and transfer the same to the file of the Family Court, Sivagangai.

For Petitioner :Mr.R.Senthilkumar
For Respondent :Mr.K.Palmurugan

ORDER

This transfer civil miscellaneous petition is filed by the wife to withdraw H.M.O.P.No.55 of 2024 on the file of the Subordinate Court, Aruppukottai and transfer the same to the file of the Family Court, Sivagangai.



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2. The prayer is opposed by the learned counsel appearing on behalf of the respondent/ husband. He would submit that the petitioner/ wife itself is residing only at Aruppukottai in his own house.

3. Be that as it may, if the petitioner/ wife is residing in the house of the husband itself, there is a chance of settlement and that can happen at any time. But, since it is pleaded that both the children are studying in Manamadurai, considering the hardship pleaded by the wife and considering the plea that only occasionally she is visiting at Aruppukottai and she is residing only in Manamadurai, I am inclined to transfer the case.

4. Even though originally the prayer was made to transfer the case to the file of the Family Court, Sivagangai, the learned counsel now submits that subsequently a Subordinate Court has been constituted in Manamadurai itself and now, only the said Court has got the jurisdiction and the entire Manamadurai Taluk is now out of the jurisdiction of the Family Court, Sivagangai. In view of the said averments, the Transfer Civil Miscellaneous Petition stands allowed on the following terms:-



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*The H.M.O.P.No.55 of 2024 is hereby withdrawn from
the file of Subordinate Court, Aruppukottai, Virudhunagar
District and transferred to the file of the Subordinate Court,
Manamadurai.*

No costs. Consequently, connected Miscellaneous Petition is closed.

24.07.2024

NCC:Yes/No

Index:Yes/No

Rmk

To

- 1.The Subordinate Judge, Aruppukottai.
- 2.The Judge, Family Court, Sivagangai.
- 3.The Subordinate Judge Manamadurai.



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D.BHARATHA CHAKRAVARTHY, J.

Rmk

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