



*Tr.CMP.(MD)No.331 of 2024*

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

**DATED : 21.08.2024**

CORAM

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

**Tr.CMP.(MD)No.331 of 2024**

**and**

**C.M.P.(MD)No.7388 of 2024**

M.Ramya

.. Petitioner

Vs.

M.Manikandan @ Mani

.. 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. 181 of 2024 pending on the file of the Family Court, Tiruchirappalli and transfer the same to the file of the Family Court, Thanjavur.

For Petitioner : Mr.K.Anand

For Respondent : No Appearance



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### **ORDER**

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.181 of 2024 pending on the file of the Family Court, Tiruchirappalli and transfer the same to the file of the Family Court, Thanjavur.

2. The petitioner is the wife and the respondent is the husband. Their marriage was solemnized on 06.06.2008 at Trichy as per Hindu Rites and Customs. Out of the wedlock, two children were born, and the children are in the custody of the petitioner/wife.

3. Due to disputes and differences, the parties are living separately. The respondent has initiated the proceeding seeking divorce in H.M.O.P.No.181 of 2024 on the file of the Family Court, Tiruchirappalli.

4. The name of the respondent has been printed in the cause list. Despite the service of notice, the respondent/husband has neither entered appearance through a counsel nor in-person to oppose this transfer petition.



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

6. The learned counsel for the petitioner would submit that the petitioner/wife is the resident of Ayyampettai, Thanjavur District. The distance between Ayyampettai and the Family Court, Trichy is around 60 Kms, and as the petitioner/wife finds it very difficult to travel such a long distance along with two children to attend every Court hearing, she seeks transfer of proceeding from the file of the Family Court, Tiruchirappalli to the file of the Family Court, Thanjavur.

7. Taking into consideration of the facts and circumstances of the case, and the reasons stated in the affidavit filed in support of this petition, and also considering the convenience of the wife, this Court is inclined to allow this transfer petition.

8. The learned Judge, Family Court, Tiruchirappalli is directed to transmit the entire records pertaining to the case in H.M.O.P.No.181 of 2024 to the Family Court, Thanjavur within a period of three weeks from the date of receipt of a copy of this order. On receipt of such records, the



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learned Judge, Family Court, Thanjavur is directed to take the case on file and dispose of the same in accordance with law.

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

**21.08.2024**

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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,  
Tiruchirappalli

2.The learned Judge, Family Court,  
Thanjavur

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