



Tr.CMP.(MD)No.359 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 13.08.2024

CORAM

THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.359 of 2024

and

C.M.P.(MD)No.7817 of 2024

Mahalakshmi

.. Petitioner

Vs.

Vishnumoorthy

.. Respondent

Prayer : The 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.164 of 2024 on the file of the Family Court, Tiruchirapalli and transfer the same to the file of the Family Court, Theni.

For Petitioner : Mr.M.Prabu

For Respondent : No Appearance

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.164 of 2024 on the file of the



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

2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 30.06.2017. Due to disputes and differences, the respondent/husband has initiated the proceeding in H.M.O.P.No.164 of 2024 seeking divorce on the file of the Family court, Tiruchirapalli.

3. The name of the respondent has been printed in the cause list. Despite service of notice, the respondent/husband has neither entered appearance through a counsel nor in-person.

4. The learned counsel for the petitioner would submit that the petitioner/wife is an unemployed, and is currently living in her parents' house at Periyakulam, Theni District. Due to her financial inability, she is unable to travel from Theni to Tiruchirapalli for attending the Court hearings and therefore, she seeks transfer of proceeding from Tiruchirapalli to Theni.



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5. Considering the facts and circumstances of the case, and being satisfied with the reasons stated in the affidavit, and also considering the convenience of the wife, this Court is inclined to allow this petition.

6. The learned Judge, Family Court, Tiruchirapalli is directed to transmit the entire records pertaining to the case in H.M.O.P.No.164 of 2024 to the Family Court, Theni 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, Theni is directed to take the case on file and dispose of the same in accordance with law.

7. With the above direction, the Transfer Civil Miscellaneous Petition stands allowed. No costs. Consequently, the connected Civil Miscellaneous Petition is closed.

13.08.2024

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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,
Tiruchirapalli
- 2.The learned Judge, Family Court,
Theni

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