



Tr.CMP.(MD)No.339 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.08.2024

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THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.339 of 2024

and

C.M.P.(MD)No.7561 of 2024

Antony Sibiya Varghese

.. Petitioner

Vs.

K.Thiyagu

.. Respondent

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceeding in I.D.O.P.No.570 of 2023 on the file of the Family Court, Nagercoil, Kanyakumari District and transfer the same to the file of the Family Court, Chengalpattu, Kancheepuram District.

For Petitioner : Mr.G.Anto Prince

For Respondent : Mr.L.George Paul Anto



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ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in I.D.O.P.No.570 of 2023 on the file of the Family Court, Nagercoil, Kanyakumari District and transfer the same to the file of the Family Court, Chengalpattu, Kancheepuram District.

2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 25.10.2021 at St. Antony's Church, Alagappapuram, Kanyakumari District as per Christian Rites and Customs.

3. Subsequently, due to disputes and differences, the parties have separated, and the respondent/husband has initiated the proceeding in I.D.O.P.No.570 of 2023 on the file of the Family Court, Nagercoil, Kanyakumari District seeking divorce.

4. Heard the learned counsel appearing on behalf of the petitioner and the learned counsel for the respondent.



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5. The learned counsel for the petitioner would submit that the petitioner/wife is now residing with her parents' at West Tambaram, Kancheepuram District. The distance between Kancheepuram and Kanyakumari is around 750 Kms, and the petitioner/wife finds it very difficult to travel such a long distance for attending every hearing. Hence, she seeks transfer of proceeding from the file of the Family Court, Nagercoil, Kanyakumari District to the file of the Family Court, Chengalpattu, Kancheepuram District.

6. The learned counsel for the respondent has raised only a formal objection to this transfer petition.

7. Taking into consideration 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, Nagercoil, Kanyakumari District is directed to transmit the entire records, pertaining to the case in



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I.D.O.P.No.570 of 2023 to the file of the Family Court, Chengalpattu, Kancheepuram District, and on receipt of such records, the learned Judge, Family Court, Chengalpattu, Kancheepuram District 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.

27.08.2024

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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,
Nagercoil, Kanyakumari District
- 2.The learned Judge, Family Court,
Chengalpattu, Kancheepuram District

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