



Tr.C.M.P(MD)No.285 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2024

CORAM

THE HON'BLE MR.JUSTICE P.VADAMALAI

Tr.C.M.P(MD)No.285 of 2023
and
C.M.P(MD)No.6568 of 2023

B.Santhi

... Petitioner

Vs.

Babu

... Respondent

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw H.M.O.P.No.57 of 2023 on the file of the Family Court, Karur and transfer the same to the file of the Sub Court, Kulithalai.

For Petitioner : Mr.K.Srinivasaragavan
For Respondent : Mr.M.Mathan Karthick

ORDER

This Transfer Civil Miscellaneous Petition is filed to withdraw H.M.O.P.No.57 of 2023 on the file of the Family Court, Karur and transfer the same to the file of the Sub Court, Kulithalai.



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2. The facts in brief:

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The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and respondent was solemnized on 10.02.2017 at Venkataramana Swamy Temple, Thanthonimalai as per Hindu rites and customs. Out of wedlock, they have a female child in the year 2018 named Seemashri. Due to misunderstanding between the parties, they have separated and the petitioner is now residing at Kulithalai with her three years old female child. Subsequently, the respondent/husband has filed a petition in H.M.O.P.No.57 of 2023 before the Family Court, Karur, seeking divorce.

3. The learned counsel for the petitioner has submitted that the distance between Kulithalai and Karur is 100 kms up and down and the petitioner finds it very difficult to travel along with three years old female child. Hence, she filed this present Transfer Civil Miscellaneous Petition seeking transfer.

4. The learned counsel for the respondent raised a formal objection and submitted that, if the case is transferred, the time frame may be fixed to dispose of the case.



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5. Considering the facts and circumstances of the case and also considering the convenience of the petitioner/wife, this Court is inclined to allow this petition.

6. Accordingly, this Transfer Civil Miscellaneous Petition stands allowed and H.M.O.P.No.57 of 2023 pending on the file of the Family Court, Karur, is hereby withdrawn and transferred to the file of the Sub Court, Kulithalai.

7. The learned Judge, Family Court, Karur, is directed to transmit the entire records pertaining to the case in H.M.O.P.No.57 of 2023 to the Sub-Court, Kulithalai within a period of three weeks from the date of receipt of a copy of this order. The learned Judge, Sub-Court, Kulithalai is directed to dispose of the divorce petition within a period of six months on receipt of the records from the Family Court, Karur. No costs. Consequently, connected Miscellaneous Petition is closed.

26.09.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
VSD



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To

- 1.The Family Court,
Karur.
- 2.The Sub Court,
Kulithalai.
- 3.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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P.VADAMALAI, J.

VSD

Order made in
Tr.C.M.P(MD)No.285 of 2023
and
C.M.P(MD)No.6568 of 2023

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