



TR CMP(MD)No.373 of 2024

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 26.07.2024**

**CORAM:**

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

**TR CMP(MD)No.373 of 2024**

**and**

**C.M.P.(MD)No.7954 of 2024**

A.Vergin Sweety ... Petitioner/1<sup>st</sup> Respondent  
vs.

1.A.Arockia Raja ... 1<sup>st</sup> Respondent/Petitioner

2.S.Vinith ... 2<sup>nd</sup> Respondent/ 2<sup>nd</sup> Respondent

**Prayer:-** Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw the case in IDOP No.10 of 2024 from the file of the learned Principal District Judge, Sivagangai and transfer the same to the file of the District Court, Coimbatore.

For Petitioner : Mr.R.Velmurugan

For R1 : Mr.D.Venkatachalam

**ORDER**

The petitioner/wife has filed the Transfer Civil Miscellaneous Petition to withdraw the case in IDOP No.10 of 2024



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from the file of the learned Principal District Judge, Sivagangai, to the file of the District Court, Coimbatore.

2.On a perusal of the affidavit filed in support of the application, the wife is pleading hardship.

3.The learned counsel appearing on behalf of the respondent/husband strongly opposes the petition by submitting that even the respondent/husband would be put to hardship, if the case is transferred. However, by considering the relative hardship faced by the husband and the wife, this Court is inclined to accept the case of the petitioner/wife and to transfer the case to Coimbatore. However, it is seen that the wife is residing within the jurisdiction of the Family Court, Coimbatore and already she has filed M.C.No.107 of 2024 on the file of the Family Court, Coimbatore.

4.Accordingly, the Transfer Civil Miscellaneous Petition is allowed on the following terms:



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(i) IDOP No.10 of 2024 is withdrawn from the file of the learned Principal District Judge, Sivagangai and transferred to the file of the Family Court, Coimbatore to be tried along with M.C.No.107 of 2024.

No costs. Consequently, connected miscellaneous petition is closed.

**26.07.2024**

NCC : Yes / No  
sji

To

- 1.The Principal District Judge, Sivagangai.
- 2.The Family Court, Coimbatore.



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**D.BHARATHA CHAKRAVARTHY, J.**

sjj

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