



Tr.CMP.(MD)No.384 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2024

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THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.384 of 2024

and

C.M.P.(MD)No.8445 of 2024

Rahima Sanofar

.. Petitioner

Vs.

Mohamed Syed Abuthahir

.. Respondent

Prayer : The Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceeding in O.S.No.1 of 2024 on the file of the Family Court, Karur and transfer the same to the file of the Family Court, Madurai.

For Petitioner : Mr.Oli Raja

For Respondent : No Appearance



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ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in O.S.No.1 of 2024 on the file of the Family Court, Karur and transfer the same to the file of the Family Court, Madurai.

2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 30.01.2020 at Pallapatti Anjumanae Thakdul Islam East Mosque as per Muslim Rites and Customs. Out of the wedlock, a female child was born, who is aged about 3 years as of today.

3. Due to disputes and differences, the respondent/husband has initiated the suit in O.S.No.1 of 2024 on the file of the Family court, Karur seeking dissolution of marriage.

4. 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 to oppose this transfer petition.



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5. Heard the learned counsel appearing for the petitioner.

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6. The learned counsel for the petitioner would submit that the petitioner/wife is now residing at her parents' house in Madurai. The distance between Madurai and Karur is about 200 Kms. As she has nobody to accompany her, she finds it very difficult to travel such a long distance along with a 3 year old female child for every Court hearing. Hence, she seeks transfer of proceeding from the file of the Family Court, Karur to the file of the Family Court, Madurai.

7. Taking into consideration of the facts and circumstances of the case, and considering the convenience of the wife, this Court is inclined to allow this transfer petition.

8. The learned Judge, Family Court, Karur is directed to transmit the entire records pertaining to the case in O.S.No.1 of 2024 to the Family Court, Madurai within a period of three weeks from the date of receipt of a copy of this order, and on receipt of such records, the learned Judge, Family Court, Madurai is directed to take the case on file and dispose of the same as expeditiously as possible in accordance with law.



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

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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,
Karur
- 2.The learned Judge, Family Court,
Madurai

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