



TR.C.M.P(MD).No.314 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.02.2024

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

TR.C.M.P(MD)No.314 of 2023

and

C.M.P(MD)No.6956 of 2023

R.Uma Mageswari

... Petitioner

Vs

G.Praveen Kumar

... Respondent

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw the divorce petition in F.C.O.P.No. 132 of 2023 on the file of the Family Court, Chengalpattu and to transfer the same to the file of the Family Court, Ramanathapuram.

For Petitioner : Mr.J.Barathan

For Respondent : No appearance

ORDER

This Transfer Civil Miscellaneous Petition is filed to withdraw the divorce petition in F.C.O.P.No.132 of 2023 on the file of the Family



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Court, Chengalpattu and to transfer the same to the file of the Family Court, Ramanathapuram.

2. The case of the prosecution is that, the petitioner is the wife of the respondent. The marriage between them was solemnized on 21.02.2022 at Ramanathapuram as per Hindu Rites and Customs. They started their matrimonial life at Chengalpattu, where the respondent was residing. Due to difference of opinion, the petitioner was ousted out from the matrimonial home. Now the petitioner is residing at Ramanathapuram in her parents' house. In the meantime, the respondent herein filed F.C.O.P.No.132 of 2023 for divorce before the Family Court, Chengalpattu. Since she finds it very difficult to travel from Ramanathapuram to Chengalpattu, for about 450 kilometers, she wants transfer of the proceedings to the Family Court, Ramanathapuram. On that basis, this Transfer Civil Miscellaneous Petition came to be filed.

3. Eventhough, the respondent was served, none appeared on behalf of the respondent.



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4. In a matrimonial proceedings, the convenience of the wife is a relevant factor. Here, the petitioner is living in Ramanathapuram, whereas the case was registered before the Family Court, Chengalpattu.

5. However, considering the fact that the wife is living in a far away place from Chengalpattu, considering the convenience of the petitioner to attend the Court proceedings, this Transfer Civil Petition is liable to be allowed.

6. Accordingly, this Transfer Civil Petition is allowed. There shall be a direction to the learned Judge, Family Court, Chengalpattu, to transfer the entire records in F.C.O.P.No.132 of 2023, immediately to the file of the Family Court, Ramanathapuram. After receiving the records, the learned Judge, Family Court, Ramanathapuram, may assign new number and issue notice to parties for appearance and dispose the case in accordance with law. The respondent is at liberty to seek dispense with his personal appearance by stating his profession before the learned



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Judge, Family Court, Ramanathapuram. Consequently, connected
miscellaneous petition is closed. No costs.

02.02.2024

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

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To

1. The Judge, Family Court, Chengalpattu.
2. The Judge, Family Court, Ramanathapuram.



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G.ILANGO VAN, J.

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ORDER
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