



Tr.CMP.(MD)No.404 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.08.2024

CORAM

THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.404 of 2024

and

C.M.P.(MD)No.8807 of 2024

Yogapriya

.. Petitioner

Vs.

Sentamil

.. Respondent

Prayer : The Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceeding in H.M.O.P.No.105 of 2024 on the file of the Sub Court, Kumbakonam, Thanjavur District and transfer the same to the file of the Family Court, Karur.

For Petitioner : Mr.R.Mathiyalagan

For Respondent : No Appearance



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ORDER

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The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.105 of 2024 on the file of the Sub Court, Kumbakonam, Thanjavur District and transfer the same to the file of the Family Court, Karur.

2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 19.03.2014. From the wedlock, a female child, namely Nehalakshmi, was born on 03.02.2016.

3. Due to disputes and differences, the respondent/husband has initiated the proceeding seeking divorce in H.M.O.P.No.105 of 2024 on the file of the learned Judge, Principal Sub Court, Kumbakonam, Thanjavur District.

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. The learned counsel would submit that the petitioner/wife is the resident of Vengamedu at Karur District. The distance between Karur and Kumbakonam is around 500 Kms to and fro. The petitioner/wife finds it very difficult to travel the said distance to attend the Court hearings at Kumbakonam. Therefore, she filed the present transfer petition.

6. Considering the above facts and circumstances of the case, and being satisfied with the reasons stated in the affidavit, and also considering the convenience of the wife, this Court is inclined to allow this petition.

7. The learned Judge, Sub Court, Kumbakonam, Thanjavur District is directed to transmit the entire records pertaining to the case in H.M.O.P.No. 105 of 2024 to the Family Court, Karur within a period of two weeks from the date of receipt of a copy of this order, and on receipt of such records, the learned Judge, Family Court, Karur is directed to take the case on file and dispose of the same in accordance with law.



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8. With the above direction, the Transfer Civil Miscellaneous Petition stands allowed. No costs. Consequently, the connected Civil Miscellaneous Petition is closed.

13.08.2024

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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, Sub Court,
Kumbakonam, Thanjavur District
- 2.The learned Judge, Family Court,
Karur

Tr.CMP.(MD)No.404 of 2024

and

C.M.P.(MD)No.8807 of 2024

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