



Tr.CMP.(MD)No.312 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 16/02/2024

CORAM

The Hon'ble Mr.Justice **G.ILANGOVAN**

Tr.CMP (MD) No.312 of 2023

and

CMP (MD) No.6952 of 2023

Preethi : Petitioner/Respondent

Vs.

Felik Jerome : Respondent/Petitioner

PRAYER:-Transfer Civil Miscellaneous Petition is filed under section 24 of the Civil Procedure Code, to withdraw and transfer the IDOP No.154 of 2022 on the file of the Principal District and Sessions Court, Dindigul, Dindigul District to be tried before the Family Court, Pudukottai, Pudukottai District and pass such further or other orders.

For Petitioner : Mr.B.Deepak

For Respondent : Mr.E.J.Daniel

O R D E R

This Transfer Civil Miscellaneous Petition is filed seeking transfer of the IDOP No.154 of 2022 on the file of the Principal District and Sessions Court, Dindigul to the Family Court, Pudukottai.



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2. The facts in brief:-

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The marriage between the husband and he wife took place on T15/02/2021 at St.Antony's Church, Murugathuranpatty, Dindigul District. At the time of marriage, 9 sovereigns of gold jewel and Srithana articles worth about Rs.3,00,000/- and a two wheeler were provided to the wife by her mother, since his father died prior to her marriage. After the marriage, they started living in Dindigul in a joint family. Due to wedlock, a male child born to them on 01/02/2021. Thereafter, her husband and his parents, demanded more dowry. Thereafter, due to matrimonial dispute, they were living separately. In spite of repeated attempt made by the elder of the family members, there is no possibility of reunion. In the meantime, the husband filed IDOP No.154 of 2022 on the file of the Principal District and Sessions Court, Dindigul, seeking divorce and now it is pending for adjudication.

3.This petition is filed by the wife seeking transfer of the case in IDOP No.154 of 2022 on the ground that now she is living in Pudukottai along with her aged mother and she has to travel Dindigul, which is more than 250 kms from her locality.



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4.Heard both sides.

5.The respondent is made strong objection to transfer the matter.

6.In a matrimonial proceedings, the convenience of the wife is a parameter.

7.So without going into other aspects, this Transfer Civil Miscellaneous petition **allowed**. Accordingly, IDOP No.154 of 2022 pending on the file of the Principal District and Sessions Court, Dindigul stands transferred to the Family Court, Pudukottai. The Principal District and Sessions Court, Dindigul is directed to transmit the case papers to the Family Court, Pudukottai within a period of four weeks from the date of receipt of a copy of this order. After receiving the records, the Family Court, Pudukottai, may assign new number and conduct the trial, after issuing notice to the parties for appearance and dispose the case in accordance with law.

8.With the above-said directions, the Transfer Civil Miscellaneous Petition stands **allowed**. However, there



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shall be no order as to costs. Consequently, connected
Miscellaneous Petition is closed.

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Index:Yes/No
Internet:Yes/No
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To,

- 1.The Principal District and Sessions Judge,
Dindigul.
- 2.The Family Court,
Pudukottai.



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G.ILANGOVAN, J

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