



Tr.C.M.P(MD)No.405 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.08.2024**

CORAM

THE HON'BLE MR.JUSTICE P.VADAMALAI

Tr.C.M.P(MD)No.405 of 2024
and
C.M.P(MD)No.8821 of 2024

B.Vidhya

... Petitioner

Vs.

Arunpandiyan

... Respondent

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the petition in H.M.O.P.No.21 of 2024 on the file of the Sub Court at Srivaikundam, Tuticorin District and transfer the same to the Family Court at Trichy.

For Petitioner : Mr.M.Suresh

For Respondent : Mrs.S.Vijaya Shanthi

ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw the petition in H.M.O.P.No.21 of 2024 from the file of the Sub Court,



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Srivaikundam, Tuticorin District and transfer the same to the Family Court, Trichy.

2. The petitioner is the wife and the respondent is the husband. The petitioner is residing at Pettavaithalai, Trichy District. The marriage between the petitioner and the respondent was solemnized on 30.03.2020 at the respondent's house as per the Hindu rites and customs. Subsequently, due to some difference of opinion, they have separated. The respondent/husband has initiated the proceedings in H.M.O.P.No.21 of 2024 on the file of the Sub Court, Srivaikundam seeking divorce.

3. The learned counsel for the petitioner would submit that the petitioner is now residing at Pattavaithalai, Trichy District and the distance between the petitioner's residence and Srivaikundam is about 700 kms up and down. The petitioner is not in a position to travel such a long distance and hence, she filed this petition seeking transfer.

4. The learned counsel for the respondent would submit that the proceedings may be transferred from Srivaikundam to Dindigul since Dindigul is equidistant from the residence of both the petitioner and the



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respondent. The respondent is ready to pay day cost, for which, the learned counsel for the petitioner has not raised any objection.

5. Considering the above facts and circumstances of the case, this Court is inclined to transfer the case to the Family Court, Dindigul. Further, I am of the view that the grievances of the petitioner/wife can be redressed by ordering cost.

6. Accordingly, the Transfer Civil Miscellaneous Petition is disposed of and H.M.O.P.No.21 of 2024 pending on the file of the Sub Court, Srivaikundam, Tuticorin District, is hereby withdrawn and transferred to the file of the Family Court, Dindigul. For every hearing, the petitioner/wife attends, the respondent shall pay a cost of Rs.750/- (Rupees Seven Hundred and Fifty only). The same shall be paid in cash on the respective date of hearings.

7. The learned Judge, Sub Court, Srivaikundam, Tuticorin District is directed to transmit the entire records pertaining to the case in H.M.O.P.No.21 of 2024 to the Family Court, Dindigul within a period of two weeks from the date of receipt of a copy of this order. On such



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receipt, the learned Judge, Family Court, Dindigul, is directed to take the case on file and dispose the same as expeditiously as possible in accordance with law. No costs. Consequently, the connected Miscellaneous Petition is closed.

08.08.2024

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

To

- 1.The Sub Court,
Srivaikundam,
Tuticorin District.
- 2.The Family Court,
Dindigul.
- 3.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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P.VADAMALAI, J.

VSD

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