



Tr.CMP.(MD)No.402 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.08.2024

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THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.402 of 2024

and

C.M.P.(MD)No.8763 of 2024

Meeralakshmi

.. Petitioner

Vs.

Kamalakannan

.. Respondent

Prayer : The Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceeding in O.P.No. 126 of 2023 on the file of the Family Court, Tiruvannamalai and transfer the same to the file of the Family Court, Aranthangi for the disposal of the case on merits in accordance with law.

For Petitioner : Mr.M.Ragul

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 O.P.No.126 of 2023 on the file of the Family Court, Tiruvannamalai and transfer the same to the file of the Family Court, Aranthangi.

2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 11.02.2019 at Panrutti. Out of the wedlock, a female child was born, who is aged about three years as of today.

3. Due to disputes and differences, the petitioner/wife has initiated the proceeding in O.P.No.126 of 2023 on the file of the Family Court, Tiruvannamalai seeking divorce.

4. The petitioner/wife is the resident of Melputhiyanthal Village in Tiruvannamalai District. As she is currently working as a professor in a Government Polytechnic College at Aranthangi, she seeks transfer of proceeding from the file of the Family Court, Tiruvannamalai to the file of the Family Court, Aranthangi.



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5. Heard the learned counsel appearing for the petitioner.

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6. Despite service of notice, the respondent/husband has neither entered appearance through a counsel nor appeared in-person to oppose this petition.

7. The learned counsel for the petitioner submits that at the time of filing of the divorce petition, the petitioner/wife, who is the resident of Tiruvannamalai, was an unemployed. Now, she got a job at Aranthangi and is working there. Therefore, she finds it very difficult to travel from Aranthangi to Tiruvannamalai for every Court hearing in O.P.No.126 of 2023 along with a three year old child. He would further submit that since there is no Family Court at Aranthangi, the above case may be ordered to be transferred to the file of the Sub Court, Aranthangi.

8. Taking into consideration of the facts and circumstances of the case, and also considering the convenience of the wife, this Court is inclined to withdraw the case in O.P.No.126 of 2023 on the file of the Family Court, Tiruvannamalai and transfer the same to the file of the Sub Court, Aranthangi.



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9. The learned Judge, Family Court, Tiruvannamalai is directed to transmit the entire records pertaining to the case in O.P.No.126 of 2023 to the Sub Court, Aranthangi 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, Sub Court, Aranthangi is directed to take the case on file and dispose of the same in accordance with law.

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

14.08.2024

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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, Family Court,
Tiruvannamalai
- 2.The learned Judge, Sub Court,
Aranthangi, Pudukottai District

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and
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