



Tr.C.M.P(MD)No.429 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 13.08.2024

CORAM

THE HON'BLE MR.JUSTICE P.VADAMALAI

Tr.C.M.P(MD)No.429 of 2024

and

C.M.P(MD)No.9425 of 2024

Pavatharani

... Petitioner

Vs.

Vinothkumar

... Respondent

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the case in O.P.No.86 of 2024 on the file of the Family Court, Theni and transfer the same to the file of the Family Court, Thoothukudi for the disposal of the case on merits in accordance with law.

For Petitioner : Mr.S.Ashok Kumar

For Respondent : No Appearance



Tr.C.M.P(MD)No.429 of 2024

ORDER

WEB COPY

The Transfer Civil Miscellaneous Petition is filed to withdraw the case in O.P.No.86 of 2024 on the file of the Family Court, Theni and transfer the same to the file of the Family Court, Thoothukudi.

2. The learned counsel for the petitioner would submit that the marriage between the petitioner and the respondent was solemnized on 10.06.2022 at Sri Kannishwaramudayar Temple, Theni and out of wedlock they blessed with one female child. Due to matrimonial dispute, the respondent/husband filed a petition in O.P.No.86 of 2024 before the Family Court, Theni seeking divorce. He would further submit that the petitioner is residing with her parents along with her child aged about one year. She finds it difficult to travel 220 km from Thoothukudi to Theni. Hence, she seeks to transfer the case as prayed for.

3. Even though the respondent was served with notice, none appears on behalf of him. His name was also printed in the cause list.

4. Being satisfied with the reasons stated in the affidavit filed in support of this petition and also considering the convenience of the



Tr.C.M.P(MD)No.429 of 2024

petitioner/wife, this Court is inclined to allow this petition.

WEB COPY

5. Accordingly, the Transfer Civil Miscellaneous Petition stands allowed and O.P.No.86 of 2024 pending on the file of the Family Court, Theni is hereby withdrawn and transferred to the file of the Family Court, Thoothukudi.

6. The learned Judge, Family Court, Theni is directed to transmit the entire records pertaining to the case in O.P.No.86 of 2024 to the Family Court, Thoothukudi within a period of two weeks from the date of receipt of a copy of this order. On receipt of records, the learned Judge, Family Court, Thoothukudi is directed to take the case on file and dispose the same on merits in accordance with law. No costs. Consequently, connected Miscellaneous Petition is closed.

13.08.2024

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

VSD



WEB COPY



Tr.C.M.P(MD)No.429 of 2024

To

- 1.The Family Court,
Thoothukudi.
- 2.The Family Court,
Theni.
- 3.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Tr.C.M.P(MD)No.429 of 2024

P.VADAMALAI, J.

VSD

Order made in
Tr.C.M.P(MD)No.429 of 2024

13.08.2024