



Tr.CMP.(MD)No.396 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.08.2024

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THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.396 of 2024

and

C.M.P.(MD)No.8694 of 2024

M.Viyaga Jeyarani

.. Petitioner

Vs.

I.Michael Nirmal Pinto

.. Respondent

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceeding in I.D.O.P.No.49 of 2024 on the file of the Family Court, Chengalpattu and transfer the same to the file of the Family Court, Tirunelveli.

For Petitioner : Mr.L.Shaji Chellan

For Respondent : Mr.M.Judy Selva

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in I.D.O.P.No.49 of 2024 on the file of the Family



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Court, Chengalpattu and transfer the same to the file of the Family Court, Tirunelveli.

2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 06.06.2019 at Our Lady of Fatima Shrine, East Tambaram, Kancheepuram District as per Christian Rites and Customs, and the said marriage was registered by the Registrar General of Births, Deaths and Marriages, Chennai on 24.07.2019.

3. Due to disputes and differences, the parties have separated. The respondent/husband has initiated the proceeding seeking divorce in I.D.O.P.No.49 of 2024 on the file of the Family Court, Chengalpattu.

4. Heard the learned counsel for the petitioner and the learned counsel for the respondent.

5. The learned counsel for the petitioner would submit that the petitioner/wife is the resident of Cheranmahadevi, Tirunelveli District. The distance between Cheranmahadevi and Chengalpattu is around 1200 Kms to



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and fro, and the petitioner/wife finds it very difficult to travel such a long distance for attending every Court hearing. However, now the petitioner seeks transfer of proceeding, in I.D.O.P.No.49 of 2024 from the file of the Family Court, Chengalpattu to the file of the Family Court, Madurai instead of transferring the same to the file of the Family Court, Tirunelveli, since the respondent/husband is working at Abroad, Madurai would be the convenient place for both the petitioner and the respondent for attending Court hearings.

6. The learned counsel for the respondent also submits that the proceeding in I.D.O.P.No.49 of 2024 may be transferred from the file of the Family Court, Chengalpattu to the file of the Family Court, Madurai, since Madurai has an international airport, it would be convenient for him to appear for Court hearings.

7. Since both the parties have requested this Court to transfer the proceeding from the file of the Family Court, Chengalpattu to the file of the Family Court, Madurai, this Court is inclined to allow this transfer petition accordingly.



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8. The learned Judge, Family Court, Chengalpattu is directed to transmit the entire records, pertaining to the case in I.D.O.P.No.49 of 2024 to the file of the Family Court, Madurai 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, Family Court, Madurai is directed to take the case on file and dispose of the same as expeditiously as possible in accordance with law.

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

27.08.2024

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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,
Chengalpattu
- 2.The learned Judge, Family Court,
Madurai

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and
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