



Tr.CMP.(MD)No.428 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.09.2024

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THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.428 of 2024

and

C.M.P.(MD)No.9401 of 2024

M.Prithika Devi

.. Petitioner

Vs.

P.Karthickeyan

.. Respondent

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceeding in H.M.O.P.No.65 of 2024 on the file of the Sub Court, Dindigul and transfer the same to the file of the Sub Court, Madurai.

For Petitioner : Mr.V.Gubanthiran

For Respondent : Mr.A.R.Kannappan



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ORDER

WEB COPY The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.65 of 2024 on the file of the Principal Sub Court, Dindigul and transfer the same to the file of the Sub Court, Madurai.

2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 24.05.2021 at Athur Thaluk, Dindigul District as per the Hindu Rites and Customs.

3. Due to disputes and differences, the parties have separated, and the respondent/husband has initiated the proceeding in H.M.O.P.No.65 of 2024 on the file of the Principal Sub Court, Dindigul seeking restitution of conjugal rights.

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



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5. The learned counsel for the petitioner would submit that the petitioner/wife is now residing with her parents at Imayam Nagar, Madurai. The distance between Madurai and Dindigul is around 250 Kms to and fro, and the petitioner/wife finds it very difficult to travel such a long distance for attending each and every hearing. Hence, she seeks transfer of proceeding from the file of the Principal Sub Court, Dindigul to the file of the Sub Court, Madurai.

6. The learned counsel for the respondent has raised only formal objection.

7. Considering the facts and circumstances of the case, and also considering the convenience of the wife, this Court is inclined to allow this petition.

8. The learned Judge, Principal Sub Court, Dindigul is directed to transmit the entire records, pertaining to the case in H.M.O.P.No.65 of 2024 to the file of the Principal Sub Court, Madurai within a period of three weeks from the date of receipt of a copy of this order, and on receipt of such



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records, the learned Judge, Principal Sub Court, Madurai is directed to take the case on file and dispose of the same in accordance with law.

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

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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, Principal Sub Court,
Dindigul
- 2.The learned Judge, Sub Court,
Madurai

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and
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