



Tr.C.M.P(MD)No.434 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.08.2024**

CORAM

THE HON'BLE MR.JUSTICE P.VADAMALAI

Tr.C.M.P(MD)No.434 of 2024

and

C.M.P(MD)No.9512 of 2024

Gowsalya

... Petitioner

Vs.

1.Balaguru

... 1st Respondent

2.Senthil Kumar

... 2nd Respondent

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, 1908, to pass an order to withdraw the case in H.M.O.P.No.51 of 2023 on the file of the Sub Court, Vendasandur Dindigul District and transfer the same to the file of the District Court or Family Court at Theni, Theni District.

For Petitioner : M/s.R.Sangeetha

For Respondents : No appearance



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ORDER

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The Transfer Civil Miscellaneous Petition is filed to withdraw the case in H.M.O.P.No.51 of 2023 on the file of the Sub Court, Veda sandur Dindigul District and transfer the same to the file of the District Court or Family Court at Theni, Theni District.

2. The petitioner herein is the wife and the first respondent is the husband. The marriage between the petitioner and the first respondent was solemnized on 02.02.2014 at Ayyanar Temple, Dindigul District as per Hindu rites and customs. Now the petitioner is residing with her two children at her parent's house in Theni.

3. The learned Counsel appearing for the petitioner submits that the petitioner has to travel more than 75 kms and it is extremely difficult for her to travel up to Veda sandur and come back.

4. Even though, the name of the respondents 1 and 2 have been printed in the cause-list, there is no representation on the side of the respondents either in person or through Counsel. So after hearing the learned Counsel for the petitioner, this order is passed.



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5. Being satisfied with the reasons stated in the affidavit filed in support of this petition and also considering the convenience of petitioner / wife, this Court is inclined to allow this petition.

6. Accordingly, the Transfer Civil Miscellaneous Petition stands allowed and H.M.O.P.No.51 of 2023 pending on the file of the Sub Court, Veda sandur, Dindigul District is hereby withdrawn and transferred to the file of the Family Court at Theni, Theni District, to be heard and disposed of in accordance with law. The learned Sub Judge, Veda sandur, Dindigul District is directed to transmit the entire records pertaining to the case in H.M.O.P.No.51 of 2023 to the transferee Court, within two weeks from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

07.08.2024

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



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- 1.The Sub Court, Vendasandur,
Dindigul District.
- 2.The District Court or Family Court at Theni,
Theni District.



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P.VADAMALAI, J.

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Order made in
Tr.C.M.P(MD)No.434 of 2024

07.08.2024