



TR.C.M.P(MD).No.379 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.03.2024

CORAM :

THE HONOURABLE Mr.JUSTICE G.ILANGO VAN

TR.C.M.P(MD)No.379 of 2023

and

C.M.P(MD)No.8035 of 2023

Umadevi

... Petitioner

Vs

B.Gobinath

... Respondent

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw H.M.O.P.No.91 of 2022 on the file of the Sub Court, Tirumangalam and transfer the same to the Subordinate Court at Sivagangai for disposal, according to law.

For Petitioner : Mr.AK.Gopalan

For Respondent : Mr.A.Sivasubramanian

ORDER

This Transfer Civil Miscellaneous Petition is filed to withdraw H.M.O.P.No.91 of 2022 on the file of the Sub Court, Tirumangalam and



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transfer the same to the Subordinate Court at Sivagangai for disposal, according to law.

2. The case of the prosecution is that the marriage between the petitioner and the respondent was solemnized on 07.02.2022 at Madurai. At the time of marriage, the parents of the petitioner have given sridhana articles and gold ornaments. Due to the misunderstanding arose between them, the petitioner was driven out from the matrimonial home. Later the respondent has filed H.M.O.P.No.91 of 2022 before the Subordinate Court, Thirumangalam, seeking divorce. Now the petitioner is living at Sivagangai with her aged parents. Finding it difficult to travel from Sivagangai to Thirumangalam, to attend the Court proceedings, this petition came to be filed seeking transfer.

3. Learned counsel for the respondent submitted that the respondent has no objection in transferring the case. But he made a request that the case may be transferred to any of the Court between Sivagangai and Thirumangalam.



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4. In a matrimonial proceedings, the convenience of the wife is a relevant factor. However, considering the fact that the wife is living in a far away place from Thirumangalam, considering the convenience of the petitioner to attend the Court proceedings, this Transfer Civil Petition is liable to be allowed.

5. Accordingly, this Transfer Civil Miscellaneous Petition is liable to be allowed. There shall be a direction to the learned Subordinate Judge, Thirumangalam, to transfer the entire records in H.M.O.P.No.91 of 2022, immediately to the file of the Subordinate Court, Sivagangai. After receiving the records, the learned Subordiante Judge, Sivagangai, may assign new number and issue notice to parties for appearance and dispose the case in accordance with law. Consequently, connected miscellaneous petition is closed. No costs.

06.03.2024

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

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G.ILANGOVA, J.

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To

1. The Subordinate Judge, Thirumangalam.
2. The Subordinate Judge, Sivagangai.

ORDER
IN
TR.C.M.P(MD)No.379 of 2023
and
C.M.P(MD)No.8035 of 2023

06.03.2024