



**TR.C.M.P(MD).No.450 of 2023**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 20.03.2024**

**CORAM :**

**THE HONOURABLE Mr.JUSTICE G.ILANGO VAN**

**TR.C.M.P(MD)No.450 of 2023**

**and**

**C.M.P(MD)No.9466 of 2023**

Jeyalakshmi

... Petitioner

Vs

Mohan

... Respondent

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw H.M.O.P.No.15 of 2021 on the file of the Subordinate Court, Lalgudi and transfer the same to the Family Court, Madurai.

For Petitioner : Mr.S.Poornachandran

For Respondent : Mr.B.Jameel Arasu

**ORDER**

This Transfer Civil Miscellaneous Petition is filed to withdraw H.M.O.P.No.15 of 2021 on the file of the Subordinate Court, Lalgudi and transfer the same to the Family Court, Madurai.



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2. The case of the prosecution is that the marriage between the petitioner and the respondent was solemnized on 12.06.2013 at Thirupatoor Sivan Temple, Manachanallur Taluk, Trichy District, as per Hindu Rites and Customs. They blessed with a female child. Due to the mental and physical harassment made by the respondent, the petitioner was driven out from the matrimonial home. Later the respondent filed H.M.O.P.No.15 of 2021 before the Subordinate Court, Lalgudi seeking divorce. Now the petitioner is living with her parents at Madurai. Finding it difficult to travel from Madurai to Lalgudi, to attend the Court proceedings, this petition came to be filed seeking transfer.

3. Learned counsel for the respondent submitted that he is facing life threat at the hands of the petitioner.

4. Absolutely, there is no complaint either before the concerned Court or before any other police station. On that account objection made by the respondent is rejected.



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5. 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 Lalgudi, considering the convenience of the petitioner to attend the Court proceedings, this Transfer Civil Petition is liable to be allowed.

6. Accordingly, this Transfer Civil Miscellaneous Petition is liable to be allowed. There shall be a direction to the learned Subordinate Judge, Lalgudi, to transfer the entire records in H.M.O.P.No.15 of 2021, immediately to the file of the Family Court, Madurai. After receiving the records, the learned Judge, Family Court, Madurai, 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.

**20.03.2024**

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No



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**G.ILANGO VAN, J.**

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To

1. The Subordinate Judge, Lalgudi.
2. The Judge, Family Court, Madurai.

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