



Tr.C.M.P.(MD)No.472 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2024

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Tr.C.M.P.(MD)No.472 of 2024
and
C.M.P.(MD)No.10970 of 2024

Subha

... Petitioner

Vs.

A.Balaji

... Respondent

Prayer : This Transfer Civil Miscellaneous Petition filed under Section 24 C.P.C., to withdraw the divorce petition in H.M.O.P.No.36 of 2024 from the file of the Subordinate Court, Tiruchendur and to transfer the same to the file of Family Court, Tirunelveli.

For Petitioner : Mr.R.Mathava Selvam

For Respondent : Mr.S.Sathya Chidambaram

ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw the case on the file of the Subordinate Court, Tiruchendur, in H.M.O.P.No.36 of 2024 and transfer the same to the file of the Family Court, Tirunelveli.



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2. Heard the learned counsel on either side.

3. It is evident from the records that the marriage between the petitioner and the respondent was solemnized on 22.06.2014. It is not in dispute that the respondent has filed a petition in H.M.O.P.No.36 of 2024 seeking divorce and the same is pending on the file of the Subordinate Court, Tiruchendur.

4. The learned counsel appearing for the petitioner would submit that the petitioner is residing at Tirunelveli and finds it difficult to travel from Tirunelveli to Tiruchendur to attend the hearings.

5. The learned counsel appearing for the respondent would submit that Family Court, Tirunelveli may be directed to complete the trial and dispose of the case within the period stipulated.

6. Considering the above facts and circumstances of the case and also taking note of the submissions made on either side and also the petitioner's residence, this Court is of the view that the case in H.M.O.P.No.36 of 2024 is ordered to be withdrawn from the file of the



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Subordinate Court, Tiruchendur, and transfer the same to the file of the Family Court, Tirunelveli. Accordingly, the learned Subordinate Judge, Tiruchendur, is hereby directed to transmit the entire records in H.M.O.P.No.36 of 2024 to the file of the Family Court, Tirunelveli, within a period of 10 days from the date of receipt of a copy of this order and on receiving the case records, the learned Judge of Family Court, Tirunelveli, is directed to take up the petition on file and proceed in accordance with law.

7. Since the divorce petition is pending from 2024 only, this Court is not inclined to issue any direction for early disposal. The respondent is at liberty to move the Family Court, Tirunelveli for seeking early disposal.

8. With the above direction, the Transfer Civil Miscellaneous Petition stands allowed. Consequently, connected Miscellaneous Petition is closed. No costs.

11.12.2024

NCC :yes/No
Index :yes/No
Internet:yes/No
csm



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K.MURALI SHANKAR,J.

csn

To

1. The Subordinate Judge,
Tiruchendur.
2. The Family Court,
Tirunelveli.
3. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.

Order made in

Tr.C.M.P.(MD)No.472 of 2024

and

C.M.P.(MD)No.10970 of 2024

Dated : 11.12.2024