



Tr.C.M.P(MD)No.520 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.10.2024**

CORAM

THE HON'BLE MR.JUSTICE P.VADAMALAI

Tr.C.M.P(MD)No.520 of 2024
and
C.M.P(MD)No.12298 of 2024

S.Venkadeswari

... Petitioner

Vs.

J.Sudarsan

... Respondent

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the case in H.M.O.P. No.555 of 2023 on the file of the Family Court, Theni, Theni District and transfer the same to the Sub Court, Sankarankovil, Tenkasi District and allow this petition.

For Petitioner : Mr.M.Jothi Basu

For Respondent : Mr.S.Vikram



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ORDER

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This Transfer Civil Miscellaneous Petition is filed to withdraw the case in H.M.O.P.No.555 of 2023 on the file of the Family Court, Theni, Theni District and transfer the same to the Sub Court, Sankarankovil, Tenkasi District.

2. The facts in brief:

The petitioner herein is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 15.07.2012 at Srirenganathar Temple, Kandamanur, Theni District as per Hindu rites and customs. Due to some difference of opinion, they have separated. The respondent/husband filed a petition in H.M.O.P.No. 555 of 2023 before the Family Court, Theni, Theni District, seeking divorce and the petitioner has also filed a petition in M.C.No.3 of 2024 before the Judicial Magistrate Court, Sankarankovil, Tenkasi District for maintenance.

3. The learned counsel for the petitioner submitted that the petitioner is residing at Solaiseri Village, Sankarankovil Taluk, Tenkasi District. The distance between Sankarankovil and Theni is 145 kms and



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the petitioner has to travel nearly 300 kms for each and every date of hearing. The petitioner finds it difficult to travel such a long distance and hence, she seeks to transfer the case as prayed for.

4. The learned counsel for the respondent has not raised any objection for allowing this petition.

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

6. Accordingly, this Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.555 of 2023 pending on the file of the Family Court, Theni, Theni District, is hereby withdrawn and transferred to the file of the Sub Court, Sankarankovil, Tenkasi District.

7. The learned Judge, Family Court, Theni, Theni District, is directed to transmit the entire records pertaining to the case in H.M.O.P.No.555 of 2023 to the Sub Court, Sankarankovil, Tenkasi District, within a period of three weeks from the date of receipt of a copy



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of this order. On receipt of records, the learned Sub Judge, Sankarankovil, Tenkasi District, is directed to take the case on file and dispose the same on merits in accordance with law. No costs. Consequently, the connected Miscellaneous Petition is closed.

03.10.2024

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

To

- 1.The Family Court,
Theni, Theni District.
- 2.The Sub Court,
Sankarankovil, Tenkasi District,
- 3.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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P.VADAMALAI, J.

VSD

Order made in
Tr.C.M.P(MD)No.520 of 2024
and
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03.10.2024