



TR.CMP(MD).No.480 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.03.2024

CORAM :

THE HON'BLE MR JUSTICE G.ILANGO VAN

TR.CMP(MD).No.480 of 2023 and
CMP(MD).No.10481 of 2023

Divya

... Petitioner

Vs.

A.Senthilkumar

... Respondent

PRAYER:- Petition filed under Section 24 C.P.C., to withdraw and transfer the case in GWOP.No.257 of 2023 on the file of the Family Court, Nagercoil, Kanyakumari District to the learned Family Court, Thoothukudi, Thoothukudi District.

For Petitioner : Mr.R. Jegadeeswaran

For Respondent : Mr.B.Sargunam

ORDER

This Transfer Civil Miscellaneous Petition is filed seeking to withdraw and transfer the case in GWOP.No.257 of 2023 on the file of the Family Court, Nagercoil, Kanyakumari District to the file of Family Court,



TR.CMP(MD).No.480 of 2023

Thoothukudi, Thoothukudi District.

WEB COPY

2. The petitioner herein is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 10.09.2010 as per Hindu Rites and customs. One male child was born through the wedlock. Due to the matrimonial dispute, the petitioner left the matrimonial home along with her minor child. In such circumstances, both the petitioner and the respondent filed HMOP.Nos.90 of 2020 and 773 of 2022 and the same are also pending before the Family Court, Thoothukudi. Further, M.C.No.25 of 2022 filed by the petitioner is also pending pending Family Court, Thoothukudi. In the above circumstances, she filed the present Transfer Civil Miscellaneous Petition to withdraw and transfer the case in GWOP.No.257 of 2023 on the file of the Family Court, Nagercoil, Kanyakumari District to the Family Court, Thoothukudi, Thoothukudi District.

3. The learned counsel appearing for the respondent has no objection to allow this petition.

4. Considering the submission made by the learned counsel for



TR.CMP(MD).No.480 of 2023

the respondent and also considering the fact that in the matrimonial disputes, the convenience of the wife shall be given preference, this Court is inclined to allow this petition.

5. Accordingly, the Transfer CMP is allowed and GWOP.No. 257 of 2023 pending on the file of the Family Court, Nagercoil, Kanyakumari District is ordered to be withdrawn and transferred to the file of the learned Family Court, Thoothukudi, Thoothukudi District. The learned Judge, Family Court, Nagercoil, Kanyakumari District is directed to transmit the entire records pertaining to the case in GWOP.No.257 of 2023 to the transferee Court, within a week from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is also closed.

27.03.2024

Internet : Yes / No

Index : Yes / No

trp

To

1. The Family Court, Nagercoil, Kanyakumari District.
2. The Family Court, Thoothukudi, Thoothukudi District.



WEB COPY



TR.CMP(MD).No.480 of 2023

G.ILANGOVAN,J.

trp

TR.CMP(MD).No.480 of 2023 and
CMP(MD).No.10481 of 2023

27.03.2024