



TR.C.M.P(MD).No.478 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 20.03.2024

CORAM :

THE HONOURABLE Mr.JUSTICE G.ILANGO VAN

TR.C.M.P(MD)No.478 of 2023

and

C.M.P(MD)No.10472 of 2023

Mahalakshi
Represented by her mother and
natural guardian

H.Shanthi

... Petitioner

Vs

Sureshkumar

... Respondent

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw H.M.O.P.No.85 of 2023 on the file of the Family Court, Trichy and transfer the same to the Sub Court, Kovilpatti, Thoothukudi District.

For Petitioner : Mr.A.Balaji

For Respondent : Mr.S.P.Naveenkumar

ORDER



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This Transfer Civil Miscellaneous Petition is filed to withdraw H.M.O.P.No.85 of 2023 on the file of the Family Court, Trichy and transfer the same to the Sub Court, Kovilpatti, Thoothukudi District.

2. The case of the prosecution is that the marriage between the petitioner's daughter and the respondent was solemnized on 09.06.2022. At the time of marriage, the petitioner has given 10 sovereigns of gold jewels and house hold articles worth about Rs.1,00,000/-. Due to the mental and physical harassment made by the respondent, the petitioner's daughter was driven out from the matrimonial home. Later the respondent filed H.M.O.P.No.85 of 2023 before the Family Court, Trichy, seeking nullity of marriage. Now the petitioner is living with her parents at Nalatinputhur, Kovilpatti. Finding it difficult to travel from Kovilpatti to Trichy, 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 seeks transfer of the case to any of the Courts at Madurai.



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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 Trichy, 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 Judge, Family Court, Trichy, to transfer the entire records in H.M.O.P.No.85 of 2023, immediately to the file of the Subordinate Court, Kovilpatti. After receiving the records, the learned Subordinate Judge, Kovilpatti, 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.

pnn

To

1. The Judge, Family Court, Trichy.
2. The Subordinate Judge, Kovilpatti.

ORDER
IN
TR.C.M.P(MD)No.478 of 2023
and
C.M.P(MD)No.10472 of 2023

20.03.2024