



Tr.C.M.P.(MD).No.479 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.02.2024

CORAM

**THE HON'BLE MR.JUSTICE G.ILANGO VAN**

**Tr.C.M.P.(MD).No.479 of 2023**  
**and C.M.P.(MD).No.10475 of 2023**

Sangavi ... Petitioner/Respondent

Vs.

R.Navin Kumar ... Respondent/Petitioner

**PRAYER :** Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, to withdraw the H.M.O.P.No.59 of 2023 pending before the Sub Court, Uthamapalayam, Theni District and transfer the same to the Family Court, Dindigul, Dindigul District.

For Petitioner : Mr.R.Rajaselvan

For Respondent : No Appearance

**ORDER**

This petition has been filed seeking to withdraw the H.M.O.P.No. 59 of 2023 pending before the Sub Court, Uthamapalayam, Theni District and transfer the same to the Family Court, Dindigul, Dindigul District.



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2.The facts in brief:

The marriage between the parties were solemnized on 01.12.2019. Out of the above said wedlock they blessed with a female child. Thereafter, trouble arose between them. Due to which, the husband filed H.M.O.P.No.59 of 2023 seeking divorce before the Sub Court, Uthamapalayam. The petitioner facing difficulty to attend every hearing before the Sub Court, Uthamapalayam. The petitioner filed R.C.R.No. 230 of 2023 on the file of Family Court, Dindigul, for conjugal rights. She filed another petition before the Additional Mahila Court, Dindigul, under the provisions of Domestic Violence Act. Therefore, two other proceedings are pending in Dindigul District. Hence, she filed this petition seeking transfer of the above said H.M.O.P. from the file of Sub Court, Uthamapalayam.

3.Petitioner's side arguments was already heard. The matter was posted today for respondent's side arguments on 12.02.2024. On that day there was no representation for the respondent. Hence, the matter was ordered to be posted today. Today also there is no representation for the



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respondent. The name of the respondent is also printed in the cause list.

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4.Considering the facts and circumstances of the case and considering the convenience of the wife, the H.M.O.P.No.59 of 2023 filed by the respondent on the file of the Sub Court, Uthamapalayam, Theni District, is ordered to be withdrawn and transferred to the Family Court, Dindigul.

5.Accordingly, this transfer civil miscellaneous petition is allowed. Consequently, connected miscellaneous petition is closed.

**20.02.2024**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No  
TM

To

- 1.The Subordinate Judge, Uthamapalayam, Theni District.
- 2.The Judge, Family Court, Dindigul.
- 3.The Section Officer,  
E.R.Section/V.R.Section,  
Madurai Bench of Madras High Court, Madurai.

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**G.ILANGOVAN,J.**

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