



Tr.CMP.(MD)No.501 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 23/02/2024

CORAM

The Hon'ble Mr.Justice **G.ILANGOVA**

Tr.CMP (MD) No.501 of 2023

and

CMP (MD) Nos.10978 of 2023 and 2357 of 2024

Mrs.K.Surya Kamatchi : Petitioner/Respondent

Vs.

Mr.R.Prashantha Karthik : Respondent/Petitioner

PRAYER:-Transfer Civil Miscellaneous Petition is filed under section 24 of the Civil Procedure Code, to withdraw HMOP No.713 of 2022 on the file of the Family Court, Madurai and transfer the same to the file of the Subordinate Court, Vadasandur, Dindigul District and pass any such further or other orders.

For Petitioner : Mr.R.J.Karthick

For Respondent : Mr.C.M.Mari Chelliah Prabhu

O R D E R

This Transfer Civil Miscellaneous Petition is filed seeking transfer of the HMOP No.713 of 2022 on the file of the Family Court, Madurai to the file of the Subordinate Court, Vadasandur, Dindigul District.



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2. The facts in brief:-

The marriage between the husband and wife took place on 04/06/2018 at Thillaisivam Marriage Hall, Thirupalai, Madurai. At the time of marriage 70 sovereigns of gold jewels and sridhana articles worth about Rs.3,00,000/- were given as dowry to the respondent. After the marriage, they started living in Madurai happily. Out of the wedlock, a female child born to them. Thereafter, due to matrimonial dispute, they were living separately. In spite of repeated attempt made by the elder of the family members, there is no possibility of reunion. In the meantime, the husband filed HMOP No.713 of 2022 before the Family Court, Madurai seeking divorce and now it is pending for adjudication.

3.This petition is filed by the wife seeking transfer of the case in HMOP No.713 of 2022 on the ground that now she is living in Vendasandur along with her aged father, who is suffering ailment. So she seeks transfer of the petition to Vendasandur.

4.Heard both sides.

5.The respondent is made strong objection to transfer the matter.



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6.In a matrimonial proceedings, the convenience of the wife is a parameter.

7.So without going into other aspects, this Transfer Civil Miscellaneous petition **allowed**. Accordingly, H.M.O.P.No.713 of 2022 pending on the file of the Family Court, Madurai stands transferred to the Sub Court, Veda sandur, Dindigul District. The Family Court, Madurai is directed to transmit the case papers to the Sub Court, Veda sandur, Dindigul District within a period of four weeks from the date of receipt of a copy of this order. After receiving the records, the Sub Court, Veda sandur, Dindigul District, may assign new number and conduct the trial, after issuing notice to the parties for appearance and dispose the case in accordance with law.

8.With the above-said directions, the Transfer Civil Miscellaneous Petition stands **allowed**. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

23/02/2024

Index:Yes/No
Internet:Yes/No
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To,

- 1.The Family Court,
Madurai.
- 2.The Sub Court,
Vedasandur,
Dindigul District.



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G.ILANGOVAN, J

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