



TR.C.M.P(MD).Nos.523 of 2023 and 122 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.03.2024

CORAM :

THE HONOURABLE Mr.JUSTICE G.ILANGO VAN

TR.C.M.P(MD)No.523 of 2023
and TR.C.M.P.(MD)No.122 of 2024
and
C.M.P(MD)No.11540 of 2023
and C.M.P(MD)No.2481 of 2024

Shalini

... Petitioner in both Tr.C.M.Ps.

Vs

Arunkumar

... Respondent in both Tr.C.M.Ps.

Common Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw the H.M.O.P.Nos.68 and 116 of 2023 on the file of the Sub Court, Srivilliputhur and transfer the same to the Family Court, Madurai.

For Petitioner : Mr.A.Banumathi

For Respondent : Mr.S.Ramakrishnan



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ORDER

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These Transfer Civil Miscellaneous Petitions are filed to withdraw the H.M.O.P.Nos.68 and 116 of 2023 on the file of the Sub Court, Srivilliputhur and transfer the same to the Family Court, Madurai.

2. The case of the prosecution is that the marriage between the petitioner and the respondent was solemnized on 25.02.2021 as per the Hindu Rites and Customs. They started their matrimonial life at Chettiyarpatti as a joint family. Due to the misunderstanding arose between them, the petitioner was driven out from the matrimonial home. Later the respondent has filed H.M.O.P.No.68 of 2023 before the Subordinate Court, Srivilliputhur and I filed H.M.O.P.No.116 of 2023 before the Subordinate Court, Srivilliputhur. Thereafter, I filed D.V.O.P.No.129 of 2023 before the Additional Mahila Court, Madurai and M.C.No.130 of 2023 before the Family Court, Madurai before the Family Court, Madurai. Now the petitioner is living at Madurai. Finding it difficult to travel from Madurai to Srivilliputhur 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.



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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 Srivilliputhur, considering the convenience of the petitioner to attend the Court proceedings, these Transfer Civil Petitions are liable to be allowed. In so far as the request of the respondent, he may approach the concerned Court for relief.

5. Accordingly, these Transfer Civil Miscellaneous Petitions are liable to be allowed. There shall be a direction to the learned Subordinate Judge, Srivilliputhur, to transfer the entire records in H.M.O.P.Nos.68 and 116 of 2023, immediately to the file of the Family Court, Madurai. After receiving the records, the learned Judge, Family Court, Madurai, 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.

21.03.2024

NCC :Yes/No
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G.ILANGOVA, J.

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To

1. The Subordinate Judge, Srivilliputhur.
2. The Judge, Family Court, Madurai.

ORDER
IN

TR.C.M.P(MD)No.523 of 2023
and TR.C.M.P.(MD)No.122 of 2024
and
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