



TR.CMP(MD).No.529 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 05.03.2024

CORAM :

THE HON'BLE MR JUSTICE G.ILANGO VAN

TR.CMP(MD).No.529 of 2023 and
CMP(MD).No. 11738 of 2023

Santhanamari

... Petitioner

Vs.

Anand

... Respondent

PRAYER:- Petition filed under Section 24 C.P.C., to withdraw the HMOP.No.183 of 2021 on the file of the Sub Court, Kovilpatti and transfer the same to the file of the Sub Court, Thoothukudi.

For Petitioner : Mr.S. Ramasamy

For Respondent : Mr.M.Prabhu

ORDER

This Transfer Civil Miscellaneous Petition is filed seeking to withdraw the case in HMOP.No.183 of 2021 on the file of the Sub Court, Kovilpatti and transfer the same to the file of the Sub Court, Thoothukudi.



TR.CMP(MD).No.529 of 2023

2. The petitioner herein is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 22.08.2012. One male child was born out of wedlock. From the date of marriage, the respondent and her family members treated the petitioner cruelly and harassed her. Thereafter, the petitioner left the matrimonial home. Hence, the respondent filed HMOP.No.183 of 2021 on the file of the Sub Court, Kovilpatti seeking divorce.

3. Now, the petitioner is residing at Thoothukudi along with her parents. Further, she is working as nurse at Thoothukudi and the distance between Thoothukudi and Kovilpatti is approximately 60 kilometers and it is very difficult for the petitioner to travel each and every hearing to attend HMOP.No.183 of 2021, pending on the file of the Sub Court, Kovilpatti. In the above circumstances, she filed the present Transfer Civil Miscellaneous Petition to transfer the HMOP.No.183 of 2021 on the file of the Sub Court, Kovilpatti to Sub Court, Thoothukudi.

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



TR.CMP(MD).No.529 of 2023

4. Considering the submission made by the learned counsel for 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 dispose of this petition.

5. Accordingly, the Transfer CMP is disposed of and HMOP.No.183 of 2021 on the file of the Sub Court, Kovilpatti is ordered to be withdrawn and transferred to the file of the Family Court, Thoothukudi. The learned Subordinate Judge, Kovilpatti is directed to transmit the entire records pertaining to the case in HMOP.No.183 of 2021 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.

05.03.2024

Internet : Yes / No

Index : Yes / No

trp

To

1. The Sub Court, Kovilpatti
2. The Family Court, Thoothukudi.



WEB COPY



TR.CMP(MD).No.529 of 2023

G.ILANGOVAAN,J.

Trp

TR.CMP(MD).No.529 of 2023 and
CMP(MD).No. 11738 of 2023

05.03.2024