



TR.CMP(MD).No.551 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 05.03.2024

CORAM :

THE HON'BLE MR JUSTICE G.ILANGO VAN

TR.CMP(MD).No.551 of 2023 and
CMP(MD).No. 12405 of 2023

Muthulakshmi

... Petitioner

Vs.

Pommaiyasami

... Respondent

PRAYER:- Petition filed under Section 24 C.P.C., to withdraw and transfer the HMOP.No.143 of 2023 on the file of the Family Court, Dindigul to Family Court, Theni.

For Petitioner : Mr.P. Senguttuvarasan

For Respondent : Mr.N.Thamimul Ansari

ORDER

This Transfer Civil Miscellaneous Petition is filed seeking to withdraw the case in HMOP.No.143 of 2023 on the file of the Family Court, Dindigul and transfer the same to the file of the Family Court,

Theni.

<https://www.mhc.tn.gov.in/judis>



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2. The petitioner herein is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 22.05.2009 as per Hindu Rites and Customs. One female 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.143 of 2023 on the file of the Family Court, Dindigul seeking divorce.

3. Now, the petitioner is residing at Theni along with her parents. The distance between Theni and Dindigul is approximately 75 kilometers and it is very difficult for the petitioner to travel each and every hearing to attend HMOP.No.143 of 2023, pending on the file of the Family Court, Dindigul. Further, the petitioner is not having any independent income. She is only depending on her parents for her day to day expenses. In the above circumstances, she filed the present Transfer Civil Miscellaneous Petition to transfer the HMOP.No.143 of 2023 on the file of the Family Court, Dindigul to Family Court, Theni.

3. The learned counsel appearing for the respondent has no



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objection to allow this petition.

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 allow this petition.

5. Accordingly, the Transfer CMP is allowed and HMOP.No. 143 of 2023 on the file of the Family Court, Dindigul is ordered to be withdrawn and transfer to the file of the Family Court, Theni. The learned Judge, Family Court, Dindigul is directed to transmit the entire records pertaining to the case in HMOP.No.143 of 2023 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 Family Court, Dindigul.

2. The Family Court, Theni.



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G.ILANGOVAAN,J.

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