



Tr.C.M.P(MD).No.573 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.11.2024

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Tr.C.M.P (MD).No.573 of 2024
and
C.M.P(MD)No.13513 of 2024

Perathuselvi : Petitioner

Vs.

Arunkumar : Respondent

Prayer : This Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw the case in H.M.O.P.No.36 of 2024 from the file of the Additional Sub Court, Hosur, Krishnagiri District and transfer the same to the file of the Family Court, Tirunelveli District.

For Petitioner : Mr.RL.Dhilipan Pandian

For Respondent : No Appearance

ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw the case in H.M.O.P.No.36 of 2024 from the file of the Additional Sub Court, Hosur, Krishnagiri District and transfer the same to the file of the Family Court, Tirunelveli District.



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2. Despite receipt of Court notice, the respondent has not turned up.

3. It is not in dispute that the marriage between the petitioner and the respondent was solemnized on 01.09.2021. It is also not in dispute that the respondent has filed a petition in H.M.O.P.No.36 of 2024, seeking divorce and the same is pending on the file of the Additional Sub Court, Hosur, Krishnagiri District.

4. The learned counsel appearing for the petitioner would submit that the petitioner as well as the respondent are natives of Tirunelveli; that the respondent, by alleging that he is working at Hosur, has filed a divorce petition before the Additional Sub Court, Hosur, Krishnagiri District. He would further submit that the petitioner is residing at Tirunelveli District and she finds it very difficult to travel from Tirunelveli to Hosur to attend the hearings.

5. As already pointed out, the respondent has failed to appear, despite receipt of Court notice.



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6. Considering the facts and circumstances of the case and also taking note of the fact that the petitioner is residing at Tirunelveli, the case in H.M.O.P.No.36 of 2024 is ordered to be withdrawn from the file of the Additional Sub Court, Hosur, Krishnagiri District and transfer to the file of the Family Court, Tirunelveli. Accordingly, the learned Additional Sub Judge, Hosur, Krishnagiri District, is hereby directed to transmit the entire records in H.M.O.P.No.36 of 2024 to the file of the Family Court, Tirunelveli, within a period of 10 days from the date of receipt of a copy of this order and on receiving the case bundle, the learned Judge, Family Court, Tirunelveli, is directed to take up the petition on file and proceed in accordance with law.

7. With the above direction, the Transfer Civil Miscellaneous Petition stands allowed. Consequently, connected Miscellaneous Petition is closed. No costs.

12.11.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
das



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K.MURALI SHANKAR, J.

DAS

To

1. The Additional Sub Court, Hosur,
Krishnagiri District.
2. The Family Court, Tirunelveli.
3. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Tr.C.M.P (MD).No.573 of 2024

12.11.2024