



Tr.C.M.P.(MD).No.555 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 12.02.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Tr.C.M.P.(MD).No.555 of 2023
and C.M.P.(MD).No.12672 of 2023

M.Menaga

... Petitioner/Respondent

Vs.

R.Sundaresan

... Respondent/Petitioner

PRAYER : Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, to pass an order to withdraw the case H.M.O.P.No.206 of 2023 on the file of Sub-Court, Thiruvottiyur, Chennai District to transfer the same to on file of Family Court, Ramanathapuram, Ramanathapuram District for adjudication.

For Petitioner : Mr.D.Balamurugapandi

For Respondent : No Appearance

ORDER

This petition has been filed to withdraw H.M.O.P.No.206 of 2023 on the file of the Sub-Court, Thiruvottiyur, Chennai District and transfer



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the same to the Family Court, Ramanathapuram, Ramanathapuram District.

2.The facts in brief:

The marriage was solemnized between the parties on 12.09.2019. Thereafter, due to some misunderstanding they separated and the above said H.M.O.P. proceedings was initiated by the respondent seeking divorce, whereas, the petitioner filed H.M.O.P.No.102 of 2023 seeking restitution of conjugal rights. Since the petitioner facing difficulty to travel long distance to attend the above said proceedings at Chennai, and since already a matter is pending before the Ramanathapuram, seeking transfer of the above said proceedings to the Family Court, Ramanathapuram, this petition has been filed.

3.Heard the learned counsel for the petitioner. Even though the respondent was served with notice, none appears on behalf of him. His name was also printed in the cause list.

4.Considering the facts and circumstances of the case and



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considering the convenience of the wife, the H.M.O.P.No.206 of 2023 filed by the respondent on the file of the Sub Court, Thiruvottiyur, Chennai District, is ordered to be withdrawn and transferred to the Family Court, Ramanathapuram, Ramanathapuram District to try the matter along with H.M.O.P.No.102 of 2023.

5.Accordingly, this transfer civil miscellaneous petition is allowed.
Consequently, connected miscellaneous petition is closed.

12.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
TM

To

- 1.The Subordinate Judge, Thiruvottiyur, Chennai District.
- 2.The Judge, Family Court, Ramanathapuram, Ramanathapuram District.
- 3.The Section Officer,
E.R.Section/V.R.Section,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGO VAN,J.

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