



Tr.C.M.P(MD).No.600 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 26.11.2024

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Tr.C.M.P (MD).No.600 of 2024
and
C.M.P(MD)No.13936 of 2024

N.Priyadharshini : Petitioner/ Petitioner

Vs.

S.Jayaprakash : Respondent/Respondent

(The Petitioner's counsel has filed a memo stating that the petitioner's initial wrongly typed as “K” instead of “N”. The said memo is recorded.)

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw the petition in H.M.O.P.No.506 of 2024 on the file of the learned Judge, Family Court, Kanniyakumari at Nagercoil and transferring the same to the file of the learned Subordinate Judge, Ambasamudram.

For Petitioner : Mr.S.Mohan Kumar

For Respondent : No Appearance.

ORDER

The Transfer Civil Miscellaneous Petition has been filed seeking orders to withdraw the petition in H.M.O.P.No.506 of 2024 on the file of the learned



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Judge, Family Court, Kanniyakumari at Nagercoil and transferring the same to the file of the learned Subordinate Judge, Ambasamudram.

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

3. It is evident from the records that the marriage between the parties was solemnized on 13.06.2021. It is not in dispute that the respondent has filed a petition in H.M.O.P.No.506 of 2024, seeking divorce and the same is pending on the file of the Family Court, Kanniyakumari at Nagercoil

4.The learned counsel for the petitioner would submit that the petitioner finds it very difficult to travel from Tirunelveli to Kanniyakumari to attend the hearings.

5. Considering the facts and circumstances of the case and also taking note of the fact that the petitioner is residing at Tirunelveli District, the case in H.M.O.P.No.506 of 2023 is ordered to be withdrawn from the file of the Family Court, Kanniyakumari at Nagercoil and transfer to the file of the Sub Court, Ambasamudhiram. The learned Judge, Family Court, Kanniyakumari at Nagercoil, is hereby directed to transmit the entire records in H.M.O.P.No.506 of 2023 to the file of the Sub Court, Ambasamudhiram, within a period of 10



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days from the date of receipt of a copy of this order and on receiving the case bundle, the learned Subordinate Judge, Ambasamudhiram, is directed to take up the petition on file and proceed in accordance with law.

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

26.11.2024

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

To

- 1.The Judge, Family Court, Kanniyakumari at Nagercoil.
2. The Subordinate Judge, Ambasamudram.
- 3.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J.

DAS

Order made in
Tr.C.M.P (MD).No.600 of 2024
and
C.M.P(MD)No.13936 of 2024

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