



TR.CMP(MD).No.594 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.594 of 2023 and
CMP(MD).Nos. 13311 and 13238 of 2023

A.Vidhya

... Petitioner

Vs.

T.Ashok kumar

... Respondent

PRAYER:- Petition filed under Section 24 C.P.C., to withdraw and transfer the HMOP.No.424 of 2023 on the file of the Family Court, Madurai to the Family Court, Virudhunagar at Srivilliputur.

For Petitioner : Mr. M.Suresh

For Respondent : Mr.M. Jegadeesh Pandian

ORDER

This Transfer Civil Miscellaneous Petition is filed seeking to withdraw the case in HMOP.No.424 of 2023 on the file of the Family Court, Madurai and transfer the same to the file of the Family Court, Virudhunagar at Srivilliputur.



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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 03.02.2023 as per Hindu Rites and customs. Due to the continuous torture by the respondent and his family members, the petitioner left the matrimonial home. Thereafter, the respondent filed HMOP.No.424 of 2023, before the Family Court, Madurai for restitution of conjugal rights.

3. Now, the petitioner is residing at Watrap with her age old parents. The distance between Watrap and Madurai is approximately 80 kilometers and it is very difficult for the petitioner to travel each and every hearing to attend HMOP.No.424 of 2023 on the file of the Family Court, Madurai. Further, 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.424 of 2023 on the file of the Family Court, Madurai to the file of the Family Court, Virudhunagar at Srivilliputtur.

4. The learned counsel appearing for the respondent submitted that the respondent is working as a Revenue Inspector and



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hence, it is very difficult for him to take leave and attend the Court at Family Court, Virudhunagar at Srivilliputtur and praying to dismiss this Transfer CMP.

5. It is well settled law that whenever, the transfer petition is filed in matrimonial disputes, the convenience of the wife shall be given preference. Therefore, I am of the view that the petition filed by the wife is liable to be allowed.

6. Accordingly, the Transfer CMP is allowed and HMOP.No. 424 of 2023 pending on the file of the Family Court, Madurai is ordered to be withdrawn and transferred to the file of the Family Court, Virudhunagar at Srivilliputtur. The Judge, Family Court, Madurai is directed to transmit the entire records pertaining to the case in HMOP.No.424 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 Petitions are also closed.

05.03.2024

Internet : Yes / No

Index : Yes / No

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To

- 1.The Family Court, Madurai.
- 2.The Family Court, Virudhunagar at Srivilliputtur.



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G.ILANGOVAAN,J.

Trp

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