



TR.CMP(MD).No.583 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.03.2024

CORAM :

THE HON'BLE MR JUSTICE G.ILANGO VAN

TR.CMP(MD).No.583 of 2023 and
CMP(MD).No.13154 of 2023

M.Reshma

... Petitioner

Vs.

T.Jerome Alan

... Respondent

PRAYER:- Petition filed under Section 24 C.P.C., to withdraw the petition in IDOP.No.1002 of 2023 from the file of the Family Court, Chennai and transfer the same to the file of the Family Court, Madurai.

For Petitioner : Mr.B. Micheal Sebastinn

For Respondent : Mr.S.Anandha kumar

ORDER

This Transfer Civil Miscellaneous Petition is filed seeking to withdraw the case in IDOP.No.1002 of 2023 from the file of the Family Court, Chennai and transfer the same to the file of the Family Court, Madurai.



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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 21.01.2021 as per Christian Rites and customs. One male child was born out of wedlock. Due to the matrimonial dispute, the petitioner left from the matrimonial home. Thereafter, the respondent filed IDOP.No.1002 of 2023 on the file of the Family Court, Chennai seeking Divorce.

3. Now, the petitioner is residing at Madurai with her aged parents along with child. The distance between Madurai and Chennai is approximately 455 kilometers and it is very difficult for the petitioner to travel each and every hearing to attend IDOP.No.1002 of 2023 on the file of the Family Court, Chennai. Further, the petitioner is not having any independent income. She is only depending on her family members for her day to day expenses. In the above circumstances, she filed the present Transfer Civil Miscellaneous Petition to withdraw and transfer the IDOP.No.1002 of 2023 from the file of the Family Court, Chennai to the file of the Family Court, Madurai.

4. The learned counsel appearing for the respondent has no



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objection to allow this petition.

5. 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.

6. Accordingly, the Transfer CMP is allowed and IDOP.No. 1002 of 2023 pending on the file of the Family Court, Chennai is ordered to be withdrawn and transferred to the file of the Family Court, Madurai. The learned Judge, Family Court, Chennai is directed to transmit the entire records pertaining to the case in IDOP.No.1002 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.

25.03.2024

Internet : Yes / No

Index : Yes / No

trp

To

1. The Family Court, Chennai.
2. The Family Court, Madurai.



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G.ILANGOVA, J.

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