



TR.CMP(MD).No.610 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.03.2024

CORAM :

THE HON'BLE MR JUSTICE G.ILANGO VAN

TR.CMP(MD).No.610 of 2023 and
CMP(MD).No.13648 of 2023

Ramya

... Petitioner

Vs.

Karthikeyan

... Respondent

PRAYER:- Petition filed under Section 24 C.P.C., to withdraw the case on the file of Principal Subordinate Court, Mayiladuthurai in HMOP.No.226 of 2022 and transfer the same to the file of the Principal Subordinate Court, Kumbakonam.

For Petitioner : Mr.B.Anandan

For Respondent : Mr.K.Rajeshwarran

ORDER

This Transfer Civil Miscellaneous Petition is filed seeking to withdraw the case in HMOP.No.226 of 2022 on the file of Principal Subordinate Court, Mayiladuthurai and transfer the same to the file of the Principal Subordinate Court, Kumbakonam.



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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 02.07.2020 as per Hindu Rites and Customs. Out of the wedlock, one male child was born. From the date of marriage, the respondent and her family members treated the petitioner cruelly and harassed her. Hence, the petitioner left the matrimonial home. Thereafter, the respondent filed HMOP.No.226 of 2022 on the file of the on the file of Principal Subordinate Court, Mayiladuthurai seeking divorce.

3. Now, the petitioner is residing at Thanjavur along with her aged parents. The distance between Thanjavur and Mayiladuthurai is approximately 80 kilometers and it is very difficult for the petitioner to travel each and every hearing to attend HMOP.No.226 of 2022 on the file of the on the file of Principal Subordinate Court, Mayiladuthurai. Further, the petitioner is not having any independent income. 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 withdraw the case in HMOP.No.226 of 2022 on the file of Principal Subordinate Court, Mayiladuthurai and transfer the same to the file of the Principal Subordinate Court, Kumbakonam.



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4. The learned counsel appearing for the respondent has no 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 the HMOP.No.226 of 2022 on the file of Principal Subordinate Court, Mayiladuthurai is ordered to be withdrawn and transferred to the file of the Principal Subordinate Court, Kumbakonam. The learned Principal Subordinate Judge, Mayiladuthurai is directed to transmit the entire records pertaining to the case in HMOP.No.226 of 2022 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.

27.03.2024

Internet : Yes / No
Index : Yes / No
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To

1. The Principal Subordinate Court, Mayiladuthurai
2. The Principal Subordinate Court, Kumbakonam.



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G.ILANGOVA,J.

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