



TR.C.M.P(MD).No.605 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.03.2024

CORAM :

THE HONOURABLE Mr.JUSTICE G.ILANGO VAN

TR.C.M.P(MD)No.605 of 2023

and

C.M.P(MD)No.13422 of 2023

Arunthathi

... Petitioner

Vs

Thangaraj

... Respondent

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw H.M.O.P.No.135 of 2023 on the file of the Sub Court, Sankarankovil and transfer the same to the Principal Subordinate Court or Family Court, Coimbatore for disposal, according to law.

For Petitioner : Mr.R.S.Sivaram

For Respondent : Mr.R.J.Karthick

ORDER

This Transfer Civil Miscellaneous Petition is filed to withdraw H.M.O.P.No.135 of 2023 on the file of the Sub Court, Sankarankovil and



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transfer the same to the Principal Subordinate Court or Family Court, Coimbatore for disposal, according to law.

2. The case of the prosecution is that the marriage between the petitioner and the respondent was solemnized on 12.12.2013. At the time of marriage, the parents of the petitioner has given 90 sovereigns of gold jewels and Rs.5 Lakhs worth household articles to the respondent. They are blessed with a female child, now aged about six years. Due to the misunderstanding arose between them, the petitioner was driven out from the matrimonial home. Later the respondent has filed H.M.O.P.No. 135 of 2023 before the Subordinate Court, Sankarankovil, seeking divorce. Now the petitioner is living at Coimbatore. Finding it difficult to travel from Coimbatore to Sanakarankovil, to attend the Court proceedings, this petition came to be filed seeking transfer.

3. Learned counsel for the respondent submitted that the respondent has no objection in transferring the case.



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4. In a matrimonial proceedings, the convenience of the wife is a relevant factor. However, considering the fact that the wife is living in a far away place from Sankarankovil, considering the convenience of the petitioner to attend the Court proceedings, this Transfer Civil Petition is liable to be allowed.

5. Accordingly, this Transfer Civil Miscellaneous Petition is liable to be allowed. There shall be a direction to the learned Subordinate Judge, Sankarankovil, to transfer the entire records in H.M.O.P.No.135 of 2023, immediately to the file of the Family Court, Coimbatore. After receiving the records, the learned Judge, Family Court, Coimbatore, may assign new number and issue notice to parties for appearance and dispose the case in accordance with law. Consequently, connected miscellaneous petition is closed. No costs.

20.03.2024

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

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G.ILANGOVA, J.

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To

1. The Subordinate Judge, Sankarankovil.
2. The Judge, Family Court, Coimbatore,

ORDER
IN
TR.C.M.P(MD)No.605 of 2023
and
C.M.P(MD)No.13422 of 2023

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