



Tr.C.M.P.(MD).No.632 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Tr.C.M.P.(MD).No.632 of 2023
and C.M.P.(MD).No.14031 of 2023

M.Sindhu ... Petitioner/Respondent

Vs.

P.Sathyamoorthy ... Respondent/Petitioner

PRAYER : Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, to call for the records relating to the H.M.O.P.No.278 of 2023 on the file of the Family Court, Karur District and withdraw and transfer the same to the Family Court, Dindigul.

For Petitioner : Ms.J.Balameenakshi

For Respondent : Mr.J.Imrankhan

ORDER

This petition has been filed seeking transfer of H.M.O.P.No.278 of 2023 from the file of Family Court, Karur to the Court of Family Court, Dindigul.



Tr.C.M.P.(MD).No.632 of 2023

2.The facts in brief:

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The marriage was solemnized between the parties on 20.05.2018. Out of the above said wedlock they gave birth to a male child on 03.04.2019. Thereafter the respondent and his family members demanded more dowry from the petitioner. Therefore, there was dispute arose between them. Due to which Domestic Violence case has been filed before the Mahila Court, Dindigul in D.V.C.No.32 of 2022. M.C.No.33 of 2022 was also filed by the petitioner seeking maintenance before the Family Court, Dindigul. In this circumstances the respondent filed H.M.O.P.No.48 of 2023 before the Additional Sub Court, Karur. Then it was transferred to the Family Court, Karur and renumbered as H.M.O.P.NO.278 of 2023. Now on the ground that already two proceedings are pending in the Dindigul District, seeking the transfer of the above said H.M.O.P. from the file of the Family Court, Karur to the file of the Family Court, Dindigul, this petition has been filed.

3.The learned counsel for the respondent would submit that there is no long distance between the place of residence of the petitioner and the Family Court, Karur. On that ground he makes objection. Apart from



Tr.C.M.P.(MD).No.632 of 2023

that he also seeks direction to the transferee Court for speedy disposal.

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4.Considering the allegations of the petitioner, considering the fact that already maintenance case is pending before the Family Court, Dindigul and also considering the convenience of the wife, the H.M.O.P.NO.278 of 2023 filed by the respondent on the file of the Family Court, Karur, is ordered to be withdrawn and transferred to the Family Court, Dindigul. But for speedy disposal both the parties can approach the concerned Court itself.

5.With the above said directions, this transfer miscellaneous petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

15.02.2024

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

To

1.The Judge, Family Court, Karur.

2.The Judge, Family Court, Dindigul.

3/5



Tr.C.M.P.(MD).No.632 of 2023

3. The Section Officer,
E.R.Section/V.R.Section,
Madurai Bench of Madras High Court, Madurai.

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Tr.C.M.P.(MD).No.632 of 2023

G.ILANGOVAN,J.

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Tr.C.M.P.(MD).No.632 of 2023

15.02.2024