



Tr.C.M.P.(MD).No.647 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 12.02.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Tr.C.M.P.(MD).No.647 of 2023
and C.M.P.(MD).No.14455 of 2023

K.Logeswari @ Mehnas

... Petitioner/1st Defendant

Vs.

1.J.Mohamed Sulthan Mubarak

... 1st Respondent/Plaintiff

2.The Joint Registrar No.I,
Sub Registrar Office,
Palayamkottai,
Thirunelveli District.

3.The District Collector,
Collectorate,
Thirunelveli & District.

... Respondents 2 & 3/
Defendants 2 & 3.

PRAYER : Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, to withdraw and transfer the case in O.S.No.21 of 2023 on the file of the Family Court, Thirunelveli to the learned Sub Court, Devakottai, Sivagangai District.

For Petitioner : Mr.R.Jegadeeswaran

For Respondent : No Appearance



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ORDER

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This petition has been filed to withdraw and transfer the case in O.S.No.21 of 2023 on the file of the Family Court, Thirunelveli to the learned Sub Court, Devakottai, Sivagangai District.

2.The facts in brief:

The marriage between the petitioner and the 1st respondent was solemnized on 18.03.2022. Thereafter he ill-treated the petitioner. There was life threats at the hands of her in-laws. Hence, she filed D.V.C.No.25 of 2023 on the file of the learned Judicial Magistrate, Karaikudi, Sivagangai District and the same is pending. In the meantime, the first respondent filed the suit in O.S.No.21 of 2023 seeking declaration to declare the above said marriage as null and void on the file of the Family Court, Tirunelveli. It is very difficult to the petitioner to travel much long distance to attend every hearing in O.S.No.21 of 2023. Hence, seeking transfer of the same to the file of the Sub Court, Devakottai, this petition has been filed.

3.Heard the learned counsel for the petitioner. Even though the



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first respondent was served with notice, none appears on behalf of him.

His name was also printed in the cause list. Since other parties are only in-laws, notice to them is dispensed with.

4.Considering the facts and circumstances of the case and considering the convenience of the wife, the O.S.No.21 of 2023 filed by the respondent on the file of the Family Court, Tirunelveli, is ordered to be withdrawn and transferred to the Sub Court, Devakottai.

5.Accordingly, this transfer civil miscellaneous petition is allowed. Consequently, connected miscellaneous petition is closed.

12.02.2024

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

To

- 1.The Judge, Family Court, Tirunelveli.
- 2.The Subordinate Judge, Devakottai.
- 3.The Section Officer, E.R.Section/V.R.Section,
Madurai Bench of Madras High Court, Madurai.

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G.ILANGOVAN,J.

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