



TR.C.M.P(MD).No.766 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 01.02.2024

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

TR.C.M.P(MD)No.766 of 2022

and

C.M.P(MD)No.12353 of 2022

S.Jamunarani

... Petitioner

Vs

S.Bagavathy

... Respondent

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw the H.M.O.P.No.1825 of 2022 on the file of the Family Court, Coimbatore and transfer the same to the Family Court, Srivilliputhur.

For Petitioner : Mr.N.Mohan

For Respondent : Mr.K.Suyambulinga Bharathi



TR.C.M.P(MD).No.766 of 2022

ORDER

WEB COPY

This Transfer Civil Miscellaneous Petition is filed to withdraw the H.M.O.P.No.1825 of 2022 on the file of the Family Court, Coimbatore and transfer the same to the Family Court, Srivilliputhur.

2. The facts in brief is that the marriage between the parties took place on 28.08.2020 in Rajapalayam, as per their customary rites. After the marriage, both were started their matrimonial life in the husband's house at Coimbatore. The father of the petitioner is working in the police department. The wife is working in I.T., company. During the Covid-19 period, they were working from home. The father in law died in the month of September, 2020. According to her husband, after the death of her father, the wife started behaving differently and left the matrimonial home to her parental home. Further it is stated that he was treated cruelly by the wife. On that account, he filed H.M.O.P.No.1825 of 2022, seeking a decree of divorce on the file of the Family Court, Coimbatore. Seeking transfer of the same to the Family Court, Srivilliputhur, this petition is filed on the ground that she denied all the allegations made in the petition and because of the attitude of the



TR.C.M.P(MD).No.766 of 2022

husband only trouble has arisen between them. Even now she is willing for reunion. Only to harass her, the husband filed H.M.O.P. before the Family Court, Coimbatore. Now, she is living in Rajapalayam. Finding it difficult to attend the Court proceedings at Coimbatore, this Transfer Civil Miscellaneous Petition is filed.

3. The respondent also appeared and stated that he has no objection to transfer the matter but it must be transferred to the Family Court, Madurai instead of Family Court, Srivilliputhur. According to the respondent, Madurai would be convenient place for both of them. For which, the petitioner is also agreeing. No other matrimonial proceedings are pending between the parties before any other Court.

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 Coimbatore, considering the convenience of the petitioner to attend the Court proceedings, this Transfer Civil Petition is liable to be allowed.



TR.C.M.P(MD).No.766 of 2022

5. Accordingly, this Transfer Civil Petition is liable to be allowed.

There shall be a direction to the learned Judge, Family Court, Coimbatore, to transfer the entire records in H.M.O.P.No.1825 of 2022, immediately to the file of the Family Court, Madurai. After receiving the records, the learned Judge, Family Court, Madurai, 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.

01.02.2024

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

pnn

To

1. The Judge, Family Court, Coimbatore.
- 2.The Judge, Family Court, Madurai.



WEB COPY



TR.C.M.P(MD).No.766 of 2022

G.ILANGOVAN, J.

pnn

ORDER
IN
TR.C.M.P(MD)No.766 of 2022

01.02.2024