



WEB COPY



C.R.P.(MD)No.696 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 12/01/2024

**CORAM**

The Hon'ble Mr.Justice **G.ILANGOVAN**

**Tr.CMP (MD) No. 696 of 2023**

Chermakani : Petitioner/Respondent

Vs.

Paun : Respondent/Petitioner

**PRAYER:-**Civil Miscellaneous Petition is filed under section 151 of the Civil Procedure Code, to withdraw and transfer the petition in HMOP No.1374 of 2023 filed by the respondent from Family Court, Coimbatore and transfer the same to Family Court, Thoothukudi District.

For Petitioner : Mr.T.Manikandan

For Respondent : No appearance

**O R D E R**

This Civil Miscellaneous Petition is filed seeking transfer of the petition in HMOP No.1374 of 2023 filed by the respondent from Family Court, Coimbatore and transfer the same to Family Court, Thoothukudi District.



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**2. The facts in brief:-**

The marriage between the husband and wife took place, on 07/11/2023 at Mutharamman Kovil, Kulasekarapattinam, Thoothukudi. Due to the wedlock, they begotten a male child, on 28/09/2014. After the marriage, dispute arose between them. The husband did not take care of the family. So, the wife used to do the tailoring work and also went to the match box company to meet the family and other expenses. The wife used to abuse the wife both physically and mentally without any reasons. So the wife filed a divorce petition in HMOP No.535 of 2020 on the file of the Family Court, Thoothukudi on the ground of cruelty, which was dismissed for default during corana period. In the meantime, the husband filed HMOP No.1374 of 2023 on the file of the Family Court, Coimbatore seeking the relief of divorce.

3.This petition is filed by the wife seeking transfer of the case in HMOP No.1374 of 2023 on the ground that the petitioner has to travel Coimbatore, which is more than 400 kms from her locality.

4.Even though notice is served upon the respondent, he has not chosen to appear before this court either in person or through advocate. So after hearing the learned



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counsel appearing for the petitioner, this order is passed.

5.In a matrimonial proceedings, the convenience of the wife is a parameter.

6.So without going into other aspects, this civil miscellaneous petition allowed. Accordingly, H.M.O.P.No. 1374 of 2023 on the file of the Family Court, Coimbatore stands transferred to the Family Court, Thoothukudi. The Family Court, Coimbatore is directed to transmit the case papers to the Family Court, Thoothukudi, within a period of four weeks from the date of receipt of a copy of this order. After receiving the records, the Sub Court, Sattur, may assign new number and conduct the trial, after issuing notice to the parties for appearance and dispose the case in accordance with law.

7.With the above-said directions, the Transfer Civil Miscellaneous Petition stands allowed. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

12/01/2024

Index:Yes/No  
Internet:Yes/No  
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WEB COPY To,

- 1.The Family Court,  
Coimbatore.
- 2.The Family Court,  
Thoothukudi.



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G.ILANGO VAN, J

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