



Tr.C.M.P.(MD).No.716 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.02.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Tr.C.M.P.(MD).No.716 of 2023
and C.M.P.(MD).No.15963 of 2023

Priya

... Petitioner/Petitioner

Vs.

Vinoth

... Respondent/Respondent

PRAYER : Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, to withdraw the H.M.O.P.No.1290 of 2023 on the file of the family Court, Madurai and transfer the same to the Family Court, Theni.

For Petitioner : Mr.S.Siva Thilakar

For Respondent : Mr.M.Shakul Hameed

ORDER

This Petition has been filed seeking to withdraw the H.M.O.P.No. 1290 of 2023 on the file of the family Court, Madurai and transfer the same to the Family Court, Theni.



Tr.C.M.P.(MD).No.716 of 2023

2.The brief facts are as follows:

The marriage between the parties was solemnized on 26.08.2012. Out of the above said wedlock, they blessed with a child. Thereafter, there was some misunderstanding between them. Hence, the respondent filed the above said HMOP proceedings before the Family Court, Madurai. Before that the petitioner filed G.W.O.P.No.808 of 2019, that was allowed and the custody of child was given to the petitioner. Now it is very difficult to the petitioner to attend every hearing in Madurai. Hence, she seeks transfer of the above said HMOP proceedings to the Family Court, Theni.

3.Heard both sides.

4.The learned counsel for the respondent would submit that the respondent has no objection to transfer the case. He would further submit that M.C.No.56 of 2023 is also pending before the Family Court, Theni and simultaneous trial may be ordered.



Tr.C.M.P.(MD).No.716 of 2023

5.Considering the facts and circumstances of the case and considering the convenience of the wife, the H.M.O.P.No.1290 of 2023 filed by the respondent on the file of the Judge, Family Court, Madurai, is ordered to be withdrawn and transferred to the Family Court, Theni to try along with M.C.No.56 of 2023.

6.Accordingly, this transfer civil miscellaneous petition is allowed.
No costs. Consequently, connected miscellaneous petition is closed.

29.02.2024

Index : Yes / No
Internet : Yes / No
TM

To

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



WEB COPY



Tr.C.M.P.(MD).No.716 of 2023

G.ILANGOVAN,J.

TM

Tr.C.M.P.(MD).No.716 of 2023

29.02.2024