



TR.CMP(MD).No.700 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.03.2024

CORAM :

THE HON'BLE MR JUSTICE G.ILANGO VAN

TR.CMP(MD).No.700 of 2023 and
CMP(MD).No. 15653 of 2023

Kanagalakshmi

... Petitioner

Vs.

Veerapandian

... Respondent

PRAYER:- Petition filed under Section 24 C.P.C., to withdraw the HMOP.No.132 of 2023 on the file of the Sub Court, Kovilpatti and transfer the same to the file of the Sub Court, Sattur, Virudhunagar District.

For Petitioner : Mr.N. Mariappan

For Respondent : Mr.S. Krishnakumar

for M/s. Arul Vadivel Associates

ORDER

This Transfer Civil Miscellaneous Petition is filed seeking to withdraw the case in HMOP.No.132 of 2023 on the file of the Sub Court, Kovilpatti and transfer the same to the file of the Sub Court, Sattur,



TR.CMP(MD).No.700 of 2023

Virudhunagar District.

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2. The petitioner herein is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized in the year 2020 as per Hindu Rites and Customs. One female child was born out of wedlock. From the date of marriage, the respondent and her family members treated the petitioner cruelly and harassed her. Thereafter, the respondent deserted the petitioner. Hence, the respondent filed HMOP.No.132 of 2023 on the file of the Sub Court, Kovilpatti seeking divorce.

3. Now, the petitioner is residing at Sattur with her parents along with minor child. The distance between Kovilpatti and Sattur is approximately 50 kilometers and it is very difficult for the petitioner to travel each and every hearing to attend HMOP.No.132 of 2023 on the file of the Sub Court, Kovilpatti. Further, the petitioner is not having any independent income. She is only depending on her parents for her day to day expenses. In the above circumstances, she filed the present Transfer Civil Miscellaneous Petition to transfer the HMOP.No.132 of 2023 on the file of the Sub Court, Kovilpatti to the file of the Sub Court, Sattur,



TR.CMP(MD).No.700 of 2023

Virudhunagar District.

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3. The learned counsel appearing for the respondent submitted that the respondent is regularly paying the monthly maintenance to the petitioner and also he is taking care of his age old parents. So on that ground he opposed to allow this petition.

4. Considering the submission made by the learned counsel for the respondent and also considering the fact that in the matrimonial disputes, the convenience of the wife shall be given preference, this Court is inclined to allow this petition.

5. Accordingly, the Transfer CMP is allowed and HMOP.No. 132 of 2023 pending on the file of the Sub Court, Kovilpatti is ordered to be withdrawn and transferred to the file of the Sub Court, Sattur, Virudhunagar District. The learned Subordinate Judge, Kovilpatti, is directed to transmit the entire records pertaining to the case in HMOP.No. 132 of 2023 to the transferee Court, within a week from the date of receipt of a copy of this order.



TR.CMP(MD).No.700 of 2023

6. However, the learned counsel appearing for the respondent seeks early disposal of said HMOP. Since the HMOP is of the year 2023, if any urgency is required the respondent can approach the transferee Court for speedy disposal. No costs. Consequently, connected Miscellaneous Petition is also closed.

01.03.2024

Internet : Yes / No

Index : Yes / No

trp

To

1. The Sub Court, Kovilpatti
2. The Sub Court, Virudhunagar District.



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TR.CMP(MD).No.700 of 2023

G.ILANGOVA,J.

Trp

TR.CMP(MD).No.700 of 2023 and
CMP(MD).No. 15653 of 2023

01.03.2024