



Tr.CMP(MD)No.717 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.01.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Tr.CMP(MD)No.717 of 2023

and

CMP(MD)No.16007 of 2023

G.Velkani

.. Petitioner/Petitioner

Vs.

Anandhraj

.. Respondent/Respondent

PRAYER : Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, to withdraw the case in HMOP.No.180 of 2023 on the file of the Family Court, Srivilliputhur, Virudhunagar District and transfer the same to the Family Court, Tuticorin, Tuticorin District.

For Petitioner : Mr.KA.Raamakrishnan

For Respondent : No appearance



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ORDER

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The petitioner is the wife of the respondent. She is facing the divorce proceedings before the Family Court, Srivilliputhur, Virudhunagar District in HMOP.No.180 of 2023 filed by her husband/respondent herein. This petition has been filed to transfer the HMOP.No.180 of 2023 from the file of the Family Court, Srivilliputhur, Virudhunagar District to the file of the Family Court, Tuticorin, Tuticorin District.

2. The learned counsel for the petitioner submitted that the petitioner is now working as a maid in a private house and also she has to maintain her child and age old parents. He further submitted that she is not in a position to travel from Tuticorin to Srivilliputhur for every hearing and it is difficult for her to contest the case before the Family Court, Srivilliputhur, Virudhunagar District. Apart from that it is also submitted that DVOP.No.41 of 2023 is pending before the learned Judicial Magistrate No.III, Tuticorin and now she is residing at Tuticorin in her parental home. Hence, this petition.



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3. Considering the pendency of the two cases in two different Courts, this Court withdraws H.M.O.P.No.180 of 2023 from the file of the Family Court, Srivilliputhur, Virudhunagar District and transfers the same to the Family Court, Tuticorin, Tuticorin District. The Family Court, Srivilliputhur, Virudhunagar District is directed to transfer the entire records in H.M.O.P.No.180 of 2023 to the transferee Court forthwith. The transferee Court shall receive the records and assign a new number, send notice to both parties and proceed further in the matter.

4. With the above direction, this Transfer Civil Miscellaneous Petition stands allowed. Consequently, connected miscellaneous petition is closed.

05.01.2024

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

PJL



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G.ILANGO VAN, J.

PJL

To
1. The Judge,
Family Court,
Srivilliputhur, Virudhunagar District

2. The Judge,
Family Court,
Tuticorin, Tuticorin District.

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