



Tr.C.M.P(MD)Nos.730 and 785 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 24.07.2024

CORAM

**THE HONOURABLE MR JUSTICE D.BHARATHA
CHAKRAVARTHY**

**Tr.C.M.P(MD)Nos.730 and 785 of 2023
and
C.M.P(MD)Nos.17667 and 16311 of 2023**

Tr.C.M.P(MD).No.785 of 2023

Priyadharshini

... Petitioner/Respondent

Vs.

Rajeshkumar

...Respondent/Petitioner

The Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the case in H.M.O.P.No.1190 of 2022 on the file of the Family Court, Madurai and transfer the same to the file of the Subordinate Court, Usilampatti.

For Petitioner :Mr.D.S.Haroon Rasheed
For Respondent :Mr.T.Goplakrishnan



Tr.C.M.P(MD)Nos.730 and 785 of 2023

Tr.C.M.P(MD).No.730 of 2023

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Rajeshkumar

... Petitioner/Respondent

Vs.

1.Priyadharshini

2.Minor Kamalesh

3.Vinochann

...Respondents/Petitioners

(R2 and R3 are represented by their mother R1)

The Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceedings in M.C.No.08 of 2023 on the file of the District Munsif cum Judicial Magistrate No.I, Usilampatti and transfer the same to the file of the Family Court, Madurai and try along with H.M.O.P.No.1190 of 2022 on the file of the Family Court, Madurai.

For Petitioner :Mr.T.Goplakrishnan

For Respondents :Mr.D.S.Haroon Rasheed

COMMON ORDER

These two transfer civil miscellaneous petitions are filed by the husband and wife respectively.



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2. The prayer of the husband is to withdraw the proceedings in M.C.No.08 of 2023 on the file of the District Muncif Court cum Judicial Magistrate No.I, Usilampattai and transfer the same to the file of the Family Court, Madurai and the prayer of the wife is to transfer the H.M.O.P.No. 1190 of 2022 from the file of the Family Court, Madurai to the file of the Subordinate Court, Usilampatti.

3. The learned counsel appearing on behalf of the husband would submit that it is the husband, who is taking care of both the children and he will be put to hardship.

4. The said statement is denied by the learned counsel for the wife. But, however, considering the distance between both the Courts, it is possible for the husband to effectively conduct his case on the file of the Subordinate Court, Usilampatti.

5. Considering the hardship pleaded on behalf of the wife, I am inclined to dispose of these Transfer Civil Miscellaneous Petitions on the following terms:-



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The H.M.O.P.No.1190 of 2022 pending on the file of the Family Court, Madurai is hereby withdrawn and the same is transferred to the file of the Subordinate Court, Usilampatti.

Accordingly, these Transfer Civil Miscellaneous Petitions are disposed of.

No costs. Consequently, connected Miscellaneous Petitions are closed.

24.07.2024

NCC:Yes/No
Index:Yes/No
Rmk

To

- 1.The Judge, Family Court,
Madurai.
- 2.The Subordinate Judge,
Usilampatti.
- 3.The District Munsif cum Judicial Magistrate No.I,
Usilampatti.



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D.BHARATHA CHAKRAVARTHY, J.

Rmk

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