



Tr.C.M.P(MD).No.156 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.01.2025

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Tr.C.M.P (MD).No.156 of 2024

and

C.M.P(MD)No.3214 of 2024

M.Bhuvaneswari : Petitioner

Vs.

1.M.Vadivel

2.M.Amutha

3.M.Manikandan

4.M.Sudha

5.Sangeetha : Respondents

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw the case in D.V.C.No.196 of 2020 on the file of the Additional Mahila Court, Karur and transfer the same to the Additional Mahila Court, Madurai.

For Petitioner : Mr.S.Atham Ali

For Respondents : Mr.S.M.Kadhar,
Legal Aid Counsel, for R1 & R5.

: No Appearance, for R2 to R4.



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ORDER

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The Transfer Civil Miscellaneous Petition has been filed seeking orders to withdraw the case in D.V.C.No.196 of 2020 on the file of the Additional Mahila Court, Karur and transfer the same to the Additional Mahila Court, Madurai.

2. It evident from the records that the marriage between the parties was solemnized on 15.11.2012. It is not in dispute that the respondent has filed a petition in H.M.O.P.No.32 of 2020, seeking divorce and after trial, the petition came to be allowed. It is also not in dispute that the petitioner/wife has initiated the proceedings under the Domestic Violence Act in D.V.C.No.196 of 2020 and the same is pending on the file of the Additional Mahila Court, Karur.

3.The learned counsel for the petitioner would submit that the petitioner has filed a petition seeking interim maintenance and the same was ordered, but the respondent has failed to comply with the order and that subsequently, the petitioner shifted his residence to Madurai and that therefore, she was constrained to file the above petition.



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4. It is seen from the records that the DVC proceedings are pending from 2020, for the past four years without any progress. Moreover, the petitioner has not shown any valid reason or ground to transfer the case at present.

5. Considering the above, this Court is not inclined to transfer the case. But at the same time, considering the pendency of the DVC proceedings for the past more than four years, the learned Magistrate is to be directed to dispose of the same within time frame stipulated by this Court.

6. In the result, the Transfer Civil Miscellaneous Petition is dismissed. The learned Judge, Additional Mahila Court, Karur, is directed to dispose of the case within a period of two months from the date of receipt of copy of this order. Consequently, connected Miscellaneous Petition is closed. No costs.

30.01.2025

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



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To

- 1.The Judge, Additional Mahila Court,
Karur.
- 2.The Section Officer, VR Section,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J.

DAS

Order made in
Tr.C.M.P (MD).No.156 of 2024
and
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30.01.2025