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THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.06.2025

CORAM

THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN

Tr.CMP.(MD)No.232 of 2025

and

C.M.P.(MD)No.5940 of 2025

Sarojni

.. Petitioner/Respondent

Vs.

Rameshkumar

.. Respondent/Petitioner

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceedings in H.M.O.P. No.19 of 2020 on the file of the Sub Court, Aranthangi and transfer the same to the file of the Family Court, Madurai.

For Petitioner : Mr.M.Sridharan

For Respondent: Mr.M.Suresh

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.19 of 2020 on the file of the Sub Court, Aranthangi, and transfer the same to the file of the Family Court, Madurai.



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2. The petitioner is the wife and the respondent is the husband.

The marriage between the petitioner and the respondent was solemnized on 27.04.2018 at T.N.S, Thevar, Thirumana Mahal, Aranthangi, Pudukottai District, as per the Hindu Rites and Customs and they have a female child.

3. Due to disputes and differences, the parties have separated, and the petitioner/wife has initiated the proceeding in H.M.O.P.No.19 of 2020 before the Sub Court, Aranthangi, Pudukottai District, seeking divorce on the ground of cruelty.

4. The learned counsel for the petitioner would submit that after separation, the petitioner/wife got a job at Madurai and hence, now, she is residing at Madurai District along with her child. The distance between Madurai and Aranthangi, is around 180 Kms, and the petitioner/wife, being a lady, finds it very difficult to travel such a long distance for attending every Court hearing. Hence, she seeks to allow this petition as prayed for.



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5. The respondent/husband filed counter stating that the trial was commenced in H.M.O.P.No.19 of 2020. P.W.1 and P.W.2 were cross-examined and the case was posted for further evidence on the side of the respondent and he also denied the averments stated in the petition.

6. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent and also perused the materials available on records.

7. From the perusal of the counter affidavit, this Court finds that P.W.1 and P.W.2 were cross-examined and the case was posted for further evidence. At this stage, present petition has been filed by expressing some inconvenience. This Court normally takes into account the inconvenience of the wife. Now, the case is in the final stage of enquiry, which has been pending for the past 5 years. In the above peculiar circumstances of the case, this Court is inclined to dismiss the petition with a direction to the learned trial Judge to complete the proceedings within two months.



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8. Accordingly, this Transfer Civil Miscellaneous Petition is dismissed and the learned Sub Judge, Sub Court, Aranthangi, is directed to dispose the case in H.M.O.P.No.19 of 2020 within a period of 2 months from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, the connected Civil Miscellaneous Petition is closed.

27.06.2025

Index:Yes/No
Speaking Order :Yes/No
Neutral Citation:Yes/No
dss

To

The Sub Court,

Aranthangi.



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K.K.RAMAKRISHNAN, J.

dss

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