



WEB COPY



Tr.C.M.P(MD).No.590 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.01.2025

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Tr.C.M.P (MD).No.590 of 2024
and
C.M.P(MD)No.13898 of 2024

S.Neelufer Syed : Petitioner

Vs.

S.A.K.Sheik Fareeth : Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw the case in O.S.No.45 of 2024 on the file of the Family Court, Madurai, Madurai District and transfer the same to the Family Court, Krishnagiri, Krishnagiri District.

For Petitioner : Mr.S.T.Sasidharan Tamilkani

For Respondent : Mr.S.Mahendrapathy

ORDER

The Transfer Civil Miscellaneous Petition has been filed seeking orders to withdraw the case in O.S.No.45 of 2024 on the file of the Family Court, Madurai, Madurai District and transfer the same to the Family Court, Krishnagiri, Krishnagiri District.



Tr.C.M.P(MD).No.590 of 2024

2. It evident from the records that the marriage between the parties was solemnized on 03.01.2024. It is not in dispute that the respondent has filed a suit in O.S.No.45 of 2024, seeking divorce and the same is pending on the file of the Family Court, Madurai. It is also not in dispute that the petitioner has initiated proceedings under the Domestic Violence Act and the same is pending on the file of the Judicial Magistrate Court, Hosur in D.V.C.No.1 of 2025.

3.The learned counsel for the petitioner would submit that the petitioner is residing at Hosur and finds it very difficult to travel to Madurai to attend the hearings.

4.The learned counsel for the respondent would submit that the respondent is a Doctor, practising at Devadoss Hospital, Madurai and hence, the case may be transferred in between Madurai to Krishnagiri.

5. Though the learned counsel for the petitioner sought for transfer the case to the Family Court, Krishnagiri, he would submit that the case may be transferred to the District Munsif Court, Hosur. The learned counsel for the respondent has also agreed for the same.



Tr.C.M.P(MD).No.590 of 2024

6. Considering the facts and circumstances of the case and taking note of the fact that the petitioner is residing at Hosur, Krishnagiri District, this Court is of the view that the suit in O.S.No.45 of 2024, is ordered to be withdrawn from the file of the Family Court, Madurai and transfer the same to the District Munsif Court, Hosur. Accordingly, the learned Judge, Family Court, Madurai, is hereby directed to transmit the entire records in O.S.No.45 of 2024 to the file of the District Munsif Court, Hosur, within a period of 10 days from the date of receipt of a copy of this order and on receiving the case bundle, the learned District Munsif, Hosur, is directed to take up the petition on file and proceed in accordance with law.

7. With the above direction, the Transfer Civil Miscellaneous Petition stands allowed. Consequently, connected Miscellaneous Petition is closed.
No costs.

22.01.2025

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



Tr.C.M.P(MD).No.590 of 2024

WEB COPY

To

- 1.The Judge, Family Court, Madurai.
- 2.The District Munsif, Hosur,
Krishnagiri District.
- 3.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Tr.C.M.P(MD).No.590 of 2024

K.MURALI SHANKAR, J.

DAS

Order made in
Tr.C.M.P (MD).No.590 of 2024
and
C.M.P(MD)No.13898 of 2024

22.01.2025