



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.06.2015

CORAM

WEB COPY

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Tr.C.M.P(MD)No.369 of 2014 and
M.P(MD)No.1 of 2014

Nagalakshmi

... Petitioner
Vs.

R.Anand Kumar

... Respondent

Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code to withdraw the case in H.M.O.P.No.847 of 2014 on the file of the Family Court, Trichy and transfer the same to the Family Court, Virudhunagar.

For Petitioner : Mr.K.Sivabalan

For Respondent : Mr.G.S.Asok Adhithiyan

ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw the case in H.M.O.P.No.847 of 2014 on the file of the Family Court, Trichy and transfer the same to the Family Court, Virudhunagar.

2.The petitioner herein is the wife and the respondent is the husband of the petitioner. The marriage was solemnized between the petitioner and the respondent on 28.06.2013, at Singaperumalkovil at Srirangam, Trichy. After marriage, both the petitioner and the respondent lived together only for a period of 15 days. After that, the respondent and his relatives demanded more dowry. The parents of the petitioner intimated the respondent that they are unable to mobilize the huge amount. Therefore, the respondent tortured the petitioner mentally and physically. Thereafter, the petitioner was sent out from the matrimonial home by the respondent and his family members for want of more dowry. If the petitioner did not give the dowry, the relatives of the respondent threatened the petitioner that they will arrange for remarriage to the respondent. Therefore, the petitioner gave a complaint before All Women Police Station, Sattur and the respondent gave an undertaking before All Women Police Station, Sattur that he will take the petitioner to the matrimonial home. Therefore, complaint was closed. The respondent did not take the petitioner to the matrimonial home and issued notice dated 28.07.2014 containing false allegation and he filed H.M.O.P.No.847 of 2014 for divorce before the Family Court, Trichy.



3.The petitioner is residing with her aged parents at Virudhunagar and it is very difficult to attend each and every hearing before the Family Court, Trichy. The distance between Virudhunagar and Trichy is approximately 250 kms and there is no one to accommodate the petitioner to attend each and every hearing before the Family Court, Trichy. Therefore, the petitioner has come out with the present petition to transfer the aforesaid HMOP No.847 of 2014 filed by the respondent/ husband before the Family Court, Trichy, to the Family Court, Virudhunagar.

4.The learned counsel for the respondent submitted that there is no family Court in Virudhunagr and the Family Court is available only in Srivilliputhur. The learned counsel for the petitioner and the respondent represented that both the petitioner and the respondent have agreed for transferring the H.M.O.P.No.847 of 2014 to the Family Court, Madurai.

5. Accordingly, this Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.847 of 2014 on the file of the Family Court, Trichy, is hereby withdrawn and transferred the same to the file of the Family Court, Madurai. The Family Court, Trichy is directed to send the case bundles to the Family Court, Madurai, immediately. The Registry is also directed to send back the papers that are pending before the Registry. No costs. Consequently, M.P (MD)No.1 of 2014 is closed.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub-Assistant Registrar

To

1.The Family Court, Trichy.

2.The Family Court, Madurai.

Copy to: The Section Officer, V.R.Section,
Madurai Bench of Madras High Court, Madurai

+One cc to Mr.G.S.Asok Adhithiyan, Advocate, SR.No.28065

+One cc to Mr.K.Sivabalan, Advocate, SR.No.28280

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RL/6 c- 24/6/2015

Tr.C.M.P(MD)No.369 of 2014 and
M.P(MD)No.1 of 2014