

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.10.2019

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

TR.C.M.P.No.641 of 2019

and

C.M.P.No.18515 of 2019

Monica
Petitioner

...

Vs.

P.Danial

... Respondent

Prayer:Transfer Civil Miscellaneous Petition is filed under Section 24 of the Civil Procedure Code read with Section 19 (iiia) of the Hindu Marriage Act 1955, to withdraw the H.M.O.P.No.2706 of 2019 from the file of the IV Additional Family Court, Chennai and transfer the same to the file of the Family Court, Salem.

For Petitioner : Mr.D.Shivakumaran

For Respondent : Served
No Appearance

ORDER

This Transfer Civil Miscellaneous Petition has been filed seeking for transfer of H.M.O.P.No.2706 of 2019 pending on the file of the IV Additional Family Court, Chennai, to the file of the Family Court, Salem.

2. It is stated in the affidavit filed in support of this petition that the petitioner and the respondent were working together in Chennai at Wipro HR Services India Private Limited. They have fallen in love and got married in a Temple. After the marriage, the respondent started harassing the petitioner demanding dowry and started ill-treating her physically and mentally. Due to the harassment, the petitioner came out from the matrimonial home, and on account of which, the respondent has filed a petition in H.M.O.P.No.2706 of 2019 before the IV Additional Family Court, Chennai, for dissolving the marriage that took place between him and the petitioner.

3. It is further stated in the affidavit that the petitioner is presently residing at Salem and it is very difficult for her to travel from Salem to Chennai to attend

every hearing in the above case. Her father is also not in a position to accompany her for each and every hearing, therefore, she seeks transfer of the HMOP from the file of the IV Additional Family Court, Chennai, to the file of the Family Court, Salem.

4. It is seen from the records that the Court Notice has been served on 18.09.2019 and the Private Notice has been served on 29.08.2019. In spite of the same, the respondent neither appeared in-person nor through counsel when the matter is listed today i.e. on 16.10.2019. Hence, this Court is inclined to transfer the H.M.O.P.No.2706 of 2019 from the file of the IV Additional Family Court, Chennai, to the file of the Family Court, Salem, as per convenience of the petitioner/wife.

5. Accordingly, this Transfer Civil Miscellaneous Petition is allowed and the H.M.O.P.No.2706 of 2019 pending on the file of the IV Additional Family Court, Chennai, is withdrawn and transferred to the file of the Family Court, Salem. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

1. The Presiding Officer,
IV Additional Family Court,
Chennai.
2. The Presiding Officer,
Family Court,
Salem.

+lcc to Mr.D.Shivakumaran, Advocate Sr.86558

TR.C.M.P.No.641 of 2019
and
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mr[co]
srg 25/11/2019