

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2020

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THE HONOURABLE MR.JUSTICE T.RAJA

Tr.C.M.P.No.27 of 2020

T.Preethi .. Petitioner

-vs-

S.Ashok Kumar .. Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, to withdraw the H.M.O.P.No.96 of 2019 on the file of the Sub Court, Ranipet and transfer the same to the Hon'ble V Additional Family Court, Chennai for disposal.

For Petitioner :: Mr.A.Dilliraj

For Respondent :: No appearance

ORDER

Heard learned counsel for the petitioner through video conferencing due to the Covid-19 pandemic.

2. The petitioner, Mrs.T.Preethi married Mr.S.Ashok Kumar, the respondent herein on 28.10.2018 at Paddy and Rice Merchants Association Thirumana Mandapam, Arni Road, Arcot, as per the Hindu rites and rituals in the presence of elders, relatives and friends of both families. It is also stated that the respondent is engaged in financial and real estate business. Besides, he is also an agent of paddy and rice commission. The petitioner is also a B.E. Graduate in Electronics and Communication Engineering and is working as a Product Developer in DXC Technology at DLF, Ramapuram, Chennai. At the time of marriage, the respondent asked the petitioner to resign the job. Therefore, the petitioner resigned her job. But after the marriage, the members of the respondent's family started showing their cruel behaviour, as a result the relationship between the petitioner and the respondent got strained. Finally, when the respondent started demanding money, the petitioner made a complaint before the All Women Police Station, Ranipet and a case in Crime No.12 of 2019 was registered. Only to get over the criminal case, the respondent has filed H.M.O.P.No.96 of 2019 before the Sub Court, Ranipet under Section 9 of the Hindu Marriage Act seeking restitution of conjugal rights with false allegations. Considering his behaviour, the petitioner was advised to file H.M.O.P.No.5150 of 2019 before the V Additional Family Court, Chennai seeking dissolution of marriage.

Therefore, the H.M.O.P.No.96 of 2019 filed before the Sub Court, Ranipet may be transferred to the file of the V Additional Family Court, Chennai for disposal on merits.

3. Considering the fact that the petitioner has already filed the H.M.O.P.No.5150 of 2019 for divorce and the same is pending before the V Additional Family Court, Chennai, it is for the respondent to appear before the V Additional Family Court, Chennai and contest the case. Therefore, the transfer civil miscellaneous petition stands allowed and the H.M.O.P.No.96 of 2019 is withdrawn from the file of the Sub Court, Ranipet and transferred to the V Additional Family Court, Chennai for disposal on merits expeditiously. Consequently, C.M.P.No.681 of 2020 is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Subordinate Judge
Ranipet, Vellore District
2. The V Additional Family Court Judge
Chennai.

+1cc to Mr.R.Orasadh, Advocate, S.R.No.24936

Tr.C.M.P.No.27 of 2020

SS(CO)

CB(17/08/2020)

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