

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 16.02.2021
CORAM
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
Tr.C.M.P.No.3 of 2021
and
C.M.P.No.207 of 2021

Vidya @ Irene

.. Petitioner

vs.

Mr.Santhanasamy

.. Respondent

PRAYER : Transfer CMP is filed under Section 24 of the Civil Procedure Code to withdraw the M.O.P.No.82 of 2020 from the learned Family Court at Puducherry, filed by the respondent and transfer the same to the learned Family Court, Thanjavur.

For Petitioner	: Mr.P.Vijendran
For Respondent	: No appearance

O R D E R

The petition for transfer is filed to transfer M.O.P.No.82 of 2020 from Family Court, Puducherry to the Family Court, Thanjavur.

2. The marriage between the petitioner and the respondent was solemnized on 28.05.2009 at Holy Spirit Church, Tagore Nagar, Puducherry. The petitioner and the respondent started their Matrimonial life happily and two female child born from and out of the wedlock. The First child was born on 14.03.2010 and the second child was born on 28.04.2017. On account of the difference of opinion, the petitioner states that she was forced to leave the Matrimonial home and now living separately. The petitioner states that now along with the girl child, she is residing at Keelavasal, Thanjavur and therefore, it would be very difficult for her to travel all along from Thanjavur to Puducherry to defend the Divorce Petition filed by the husband in M.O.P.No.82 of 2020.

3. The fact remains that the complaint was also registered in All Women's Police Station on 06.01.2020, in order to secure the First daughter from the respondent. The learned counsel for the petitioner states that the petitioner has to take care of the female child, aged about 3 years and therefore, she is not in a position to travel all along from Thanjavur to Puducherry.

4. The place of wife is preferable for the purpose of conducting the case in view of the facts and circumstances in the present case.

5. In view of the facts and circumstances, the M.O.P.No.82/2020 pending on the file of the Family Court, Puducherry stands transferred to the Family Court, Thanjavur.

6. Accordingly, this Transfer Civil Miscellaneous Petition No.3 of 2021 stands allowed and M.O.P.No.82 of 2020 pending on the file of the Family Court, Puducherry, is directed to be transferred to the Family Court, Thanjavur. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

-s/d-
Assistant Registrar

True Copy
Sub-Assistant Registrar

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To

1.The Judge,
Family Court, Puducherry.

2.The Judge,
Family Court, Thanjavur.

Tr.CMP No.3 of 2021

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