

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.03.2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Tr.C.M.P.No.151 of 2021
and
C.M.P.No.4438 of 2021

S.Sumitha

.. Petitioner

vs.

K.Dhinakar

.. Respondent

PRAYER : Transfer CMP is filed under Section 24 of the Civil Procedure Code, to withdraw the F.C.I.D.O.P.No.168 of 2020 on the file of the Family Court, at Chengalpattu, Chengalpattu District and transfer the same to the Family Court, Dharmapuri District.

For Petitioner : M/s.S.Anburaja

For Respondent : Mr.J.Hudson
Samuvel

For M/s.Paul and Paul

O R D E R

The petition for transfer is filed to transfer F.C.I.D.O.P.No.168 of 2020 from the Family Court, Chengalpattu to the Family Court, Dharmapuri.

2. The marriage between the petitioner and the respondent was solemnized on 20.04.2018 as per the Christian Rites and Customs. The petitioner states that she is unemployed and she was forced to leave the Matrimonial home due to the continuous harassment.

3. However, all such allegations are to be adjudicated with reference to the documents and evidences. As far as the transfer petition is concerned, the learned counsel for the respondent states that the respondent/husband is now working in the State of Madhya Pradesh and it would be very

difficult for him, if the case is transferred to Dharmapuri.

4. However, the fact remains that the petitioner/wife is unemployed and now, she is living with her aged parents. As far as the respondent is concerned, he is working in Madhya Pradesh and it makes less difference. Place of wife is preferable as far as the transfer petitions are concerned. Therefore, this Court is inclined to consider the petition.

5. This being the factum, this Transfer Civil Miscellaneous Petition No.151 of 2021 stands allowed and F.C.I.D.O.P.No.168 of 2020 pending on the file of the Family Court, Chengalpattu, is directed to be transferred to the Family Court, Dharmapuri. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

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To

1.The Judge,
Family Court, Chengalpattu,
Chengalpattu District.

2.The Judge,
Family Court, Dharmapuri,
Dharmapuri District.

+1cc to M/s.Paul & Paul, Advocate, S.R.No.20798

Tr.CMP No.151 of 2021

PM(CO)
CB(27/04/2021)

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