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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2021

CORAM:

THE HONOURABLE Mr. JUSTICE S.S.SUNDAR

Tr.C.M.P. No.379 of 2021
and C.M.P. No.8756 of 2021

N.Hephziba

.. Petitioner

Vs

P.Tennyson

.. Respondent

PRAYER : Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, to withdraw the IDOP.No.116 of 2020 on the file of the Principal District Judge, Vellore and to transfer the same to the file of the Family Court, Trichy.

For Petitioner : Mr.T.A.Punithan

For Respondent : Mr.P.Kannan

O R D E R

This petition has been filed to withdraw the IDOP.No.116 of 2020 on the file of the Principal District Judge, Vellore and to transfer the same to the file of the Family Court, Trichy.

2.This transfer civil miscellaneous petition is filed by the wife. The marriage between the petitioner and the respondent was solemnized on 11.12.2019. It is the case of the petitioner that the respondent has filed a petition in IDOP No.116 of 2020 on the file of the Principal District Court, Vellore for divorce on the ground of mental cruelty.

3.It is to be noted that the petitioner has made several allegations against the respondent and his family members for torture and harassing the petitioner on several occasions. The allegations are on all accounts including demand of dowry. It is admitted before this Court that the wife has given several criminal complaints against the husband. The complaints given by the petitioner wife as against the husband are as follows:

a) The online complaint given by the petitioner to Viruthampet Police Station, dated 23.07.2020.



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b) Complaint given by the petitioner to All Women Police Station, Trichy on 02.08.2020.

c) Complaint given by the petitioner to All Women Police Station, Ranipet on 28.05.2020.

d) Complaint given by the petitioner to Katpadi Police Station.

The respondent husband also gave a complaint before the Katpadi Police Station against the petitioner for physical assault.

4. Apart from this, this Court is able to see something more about the conduct of the petitioner wife. In relation to the same allegation, the petitioner had filed different complaints against the respondent. It is admitted that the respondent is working as a Doctor in Ranipet. Filing different complaints before different police stations with slightly modified version shows the real character of the petitioner. This Court is of the view that the respondent's convenience also will be relevant in the present case. Having regard to his position as a Doctor working in Ranipet, and the petitioner who is capable of pursuing different complaints simultaneously, may not be inconvenient to travel to the District Court, Vellore.

5. The learned counsel for the respondent submitted that the expenses of the wife will be met by the respondent. Having regard to the status of the respondent, the respondent shall pay a sum of Rs.5,000/- for every hearing, to the wife to attend the hearing in Principal District Court, Vellore.

6. Accordingly, this transfer civil miscellaneous petition is closed on condition that the respondent shall pay a sum of Rs.5,000/- for every hearing to the wife either by cash or by way of a demand draft. The payment shall be made within three days of every hearing whenever the petitioner remains present before the District Court, Vellore. If in case, the respondent fails to appear consecutively for two hearings before the District Court, Vellore, the petitioner will have an option to seek modification of this order. The wife is entitled to get the amount towards travelling as indicated above only on the occasions where she actually attends the Court. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar



ssr

To

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1.The Principal District Judge,
Vellore.

2.The Judge,
The Family Court,
Trichy.

+1cc to Mr.P.Kannan, Sr No.33322

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PVS (CO)
PR (01/09/2021)