



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P.No.395 of 2021
and
C.M.P.No.9243 of 2021

[Video Conferencing]

Mr.Prakash.M

... Petitioner

vs.

Mrs.Dharani.P

... Respondent

Prayer:- This Petition filed under Section 24 of the Code of Civil Procedure, praying to withdraw O.P.No.37 of 2021 from the file of the Family Court at Tiruvannamalai and transfer the same to the file of the Family Court at Chennai.

For Petitioner : Mr.M.Prakash (Party in Person)

For Respondent : Mr.G.Balamanikandan

ORDER

- 1.The present Transfer Civil Miscellaneous Petition is filed to withdraw O.P.No.37 of 2021 from the file of the Family Court at Tiruvannamalai and transfer the same to the file of the Family Court at Chennai.
- 2.The respondent/wife has filed O.P.No.37 of 2021 before the Family Court at Tiruvannamalai for divorce.
- 3.The learned counsel for the petitioner/husband submitted that the father-in-law of the petitioner is a practising Advocate at Tiruvannamalai and if the petitioner attends the Court hearing at Thiruvannamalai, there would be life threat at the hands of the father of the respondent. He would further submit that he had lodged a complaint before the Roshanai Police Station at Villupuram for threatening by an unknown person. Therefore, he seeks to transfer the case from the file of the Family Court at Tiruvannamalai to the file of the Family Court at Chennai.



WEB COPY

4.The learned counsel for the respondent/wife submitted that the petitioner/husband is having a house at Tiruvannamalai and also she is having 3 children. He would further submit that if the case is transferred, she was unable to travel from Tiruvannamalai to Chennai and that there is no life threat by the father-in-law of the petitioner. He further submitted that her father is not active practising Advocate. Therefore, he prays for dismissal of this petition.

5.Considering the facts and circumstances of the case, and in the absence of any material to prove the allegations made by the petitioner, this Court is not inclined to transfer the case from the file of the Family Court at Tiruvannamalai to the file of the Family Court at Chennai.

6.Accordingly, this Transfer Civil Miscellaneous Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

ssi

To

1. The Judge,
Family Court,
Thiruvannamalai.

2. The Judge,
Family Court,
Chennai.

Tr.C.M.P.No.395 of 2021 and
C.M.P.No.9243 of 2021

EV (CO)
K.RK. (24.08.2021)