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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.04.2022

CORAM

THE HONOURABLE Ms. JUSTICE P.T.ASHA

Tr.C.M.P. No.169 of 2022
and
C.M.P.No.3302 of 2022

Vaishali ... Petitioner

-Vs-

A.Saravanakumar ... Respondent

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure, to withdraw F.C.I.D.O.P.No.356 of 2021 pending on the file of the Family Court, Chengalpattu and transfer the same to the file of the Family Court, Vellore.

For Petitioner : Mr.C.Prabakaran

ORDER

The Transfer Civil Miscellaneous Petition has been filed by the wife seeking transfer of F.C.I.D.O.P.No.356 of 2021 filed by the husband for divorce before the Family Court, Chengalpattu, to the file of the Family Court, Vellore.

2.The petitioner would contend that marriage between herself and the respondent had been solemnized on 26.04.2019 at Hope A.G. Church, Pallikaranai, Chennai, as per Hindu rites and customs. Out of wedlock, they had one girl child by name S.Serah Ann born on 03.02.2020. Thereafter, the petitioner was ill treated by the respondent and his family members. All of a sudden, the respondent filed F.C.I.D.O.P.No.356 of 2021 for divorce.

3.The reasons for seeking the transfer are as follows:

- 1.The petitioner is residing at Ranipet with her child.
- 2.The respondent is working in Denmark.
- 3.The respondent husband has not provided any maintenance to the petitioner.



4.The distance between Ranipet and Chengalpattu is too far and she cannot travel each time to attend the hearings since the matter is before a Family Court.

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4.The respondent/husband though served has not entered appearance either in person or through pleader.

5.Heard the learned counsel appearing for the Petitioner and perused the papers.

Admittedly, the respondent is working in Denmark and is not attending the hearings himself. The petitioner has to take care of her baby girl and it is not advisable for her to travel for every hearing to Chengalpet. Under these circumstances, the request for transfer is justified and accordingly, the Transfer Civil Miscellaneous Petition is allowed. F.C.I.D.O.P.No.356 of 2021 pending on the file of the Family Court, Chengalpattu, is withdrawn and transferred to the file of the Family Court, Vellore. Consequently, connected Civil Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

mps

To

1.The Judge,
Family Court,
Chengalpattu.

2. The Judge,
Family Court,
Vellore.

+1cc to Mr.C.Prabakaran, Advocate SR.No.25342

Tr.C.M.P. No.169 of 2022
and
C.M.P.No.3302 of 2022

GPL (CO)
GMY (10/06/2022)