



WEB COPY

Tr.C.M.P.No.800 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

Tr.C.M.P.No.800 of 2022

and

C.M.P.No.13756 of 2022

Sameena Gowser

... Petitioner

Vs.

Niyas

... Respondent

Prayer: Transfer CMP is filed under Section 24 of the Civil Procedure Code, to withdraw the suit in O.S.No.4 of 2022 pending on the file of the Family Court, Dharmapuri and transfer the same to Family Court at Krishnagiri.

For Petitioner : Mr.B.Jawahar

For Respondent : No appearance

ORDER

The petition for transfer is filed to withdraw the suit in O.S.No.4 of 2022 pending on the file of the Family Court, Dharmapuri and transfer the same to Family Court at Krishnagiri.



2. The marriage between the petitioner and the respondent was solemnized on 02.12.2018 as per Muslim Rites and Customs. One male child was born from and out of the wedlock between the petitioner and the respondent and now aged about 2 years. Due to some misunderstanding, the petitioner and the respondent are living separately. The respondent filed O.S.No.4 of 2022 for dissolution of marriage now pending on the file of the Family Court, Dharmapuri. The learned counsel for the petitioner states that the petitioner is unemployed and now residing along with her parents. She is taking care of the 2 years old minor child and thus not in a position to travel, spend and contest the divorce case filed by the respondent filed before the Family Court at Dharmapuri.

3. Considering the facts and circumstances, the O.S.No.4 of 2022 pending on the file of the Family Court, Dharmapuri stands transferred to the Family Court at Krishnagiri. The Family Court, Dharmapuri is directed to transmit the case papers to the Family Court at Krishnagiri within a period of four (4) weeks from the date of receipt of a copy of this order.



4. With the abovesaid directions, the Transfer Civil Miscellaneous

Petition stands allowed. However, there shall be no order as to costs.

Consequently, the connected miscellaneous petition is closed.

08.12.2022

Skr/Jeni

Index : Yes

Speaking order

To

1.The Judge,
Family Court,
Dharmapuri.

2.The Judge,
Family Court,
Krishnagiri.



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S.M.SUBRAMANIAM, J.

Skr

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