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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2022

CORAM

THE HONOURABLE MS. JUSTICE P.T.ASHA

TR.CMP. NO.801 OF 2021

IN

C.M.P.NO.18668 OF 2021

Dr.J.S.Sukanya ... Petitioner/Respondent.

Vs

Mitran Ashok alias A.Mitran ... Respondent/Petitioner.

PRAYER:

Petition filed under Section 24 of the Code of Civil Procedure, to withdraw the Original Petition in H.M.O.P.No.150 of 2021 pending on the file of the Learned Sub Court at Tambaram and transfer the same to the learned Family Court at Chennai.

For Petitioner	:	M/s M.Venkatesh
For Respondent	:	Mrs. Geeta Ramaseshan

ORDER

The above application is filed by the petitioner/wife seeking transfer of the proceedings for divorce filed by the respondent/husband in H.M.O.P.No.150 of 2021, on the file of the Learned Sub Court at Tambaram, to the file of the IV Additional Family Judge at Chennai.

2. The respondent who has entered appearance through counsel has no objection to the H.M.O.P. No.150 of 2021, being transferred but however she denies the allegations made in the Paragraph Nos.18, 19 & 20, which are extracted as follows:

"18. I submit that since the respondent's parents and many of his relatives reside in Chennai and due to the fact that the learned Sub Court at



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Tambaram has no proper verification measures to allow only the litigants inside the Court Complex, I am under a constant threat while attending the hearings at the Learned Sub Court at Tambaram. More so, since I am traveling all alone to Chennai. I apprehend that the Respondent's Family at Chennai, may inflict physical harm on me, in order to intimidate me to succumb to the Petition filed for Divorce by the Respondent without resistance.

19. I submit that presently my anxiety and fear of grave threat to my life is clear and present due to the past unpalatable and unbearable torture inflicted both physically and mentally, by use of filthy and abusive language by the Respondent and his Parents and Sister and the Respondent's Family or the Respondent's agents acting on his instructions, would go to any extent in harming me.

20. I submit that if the above HMOP is transferred to anyone of the Family Court at Chennai there would be adequate security for my life and limb since there is regulated system of issuing passes to the litigants and monitoring all the visitors in the High Court Campus through police Personnel."

The learned counsel for the petitioner has no objection to these allegations being eschewed.

3. The said submission is recorded and the allegations is Paragraph Nos. 18 to 20 stand eschewed. The Transfer Civil Miscellaneous Petition is allowed and H.M.O.P. No.150 of 2021, pending on the file of the Sub Court at Tambaram is withdrawn and transferred to the file of the IV Additional Family Judge at Chennai. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1.The Subordinate Judge,
The Sub Court at Tambaram.

2.The IV Additional Family Judge at Chennai.

+1cc to Mrs. Geeta Ramaseshan, Advocate, S.R.No.10394

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SSV(CO)
PM/18/03/2022