



Transfer C.M.P.No.948 of 2022
and C.M.P.No.16351 of 2022

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2022

CORAM

THE HONOURABLE MRS. JUSTICE **R.HEMALATHA**

Tr.C.M.P.No.948 of 2022

and

C.M.P.No.16351 of 2022

Karthika

...Petitioner

Vs.

Suresh

... Respondent

Prayer : Transfer Civil Miscellaneous Petition filed under Section 24 of the CPC to withdraw F.C.O.P. No.132 of 2022 pending on the file of Family Court, Thiruvannamalai and transfer the same to the file of the Subordinate Court, Kallakurichi.

For Petitioner : Mr.G. Balamaniandan

For Respondent : Mr.B. Jawahar

ORDER

The present petition is filed seeking to withdraw F.C.O.P. No.132 of 2022 pending on the file of Family Court, Thiruvannamalai, and transfer the same to the file of the Subordinate Court, Kallakurichi.



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2.The present petitioner is the respondent in F.C.O.P. No.132 of 2022 on the file of the Family Court, Thiruvannamalai. The respondent/husband filed the F.C.O.P. under Section 13 (1) (i-a) of the Hindu Marriage Act 1955 seeking for dissolution of marriage that was solemnised between the petitioner and the respondent on 29.01.2017.

3. Heard Mr.G. Balamanikandan, learned counsel appearing for the petitioner and Mr.B. Jawahar, learned counsel appearing for the respondent.

4. The learned counsel appearing for the petitioner contended that the petitioner had left her matrimonial home with her children aged 4 years and 1 ½ years, due to the physical and mental harassment meted out to her by her in-laws demanding dowry, and she is presently residing in Kallakurichi district with her parents. It is further submitted by him that the petitioner/wife is unable to go over to Tiruvannamalai, which is 70 km away from her village, to attend each and every hearing before the Family Court, Thiruvannamalai, with her 1 ½ year old baby.

5. Learned counsel for the respondent did not raise any serious objections in transferring F.C.O.P. No.132 of 2022 pending on the file of



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the Family Court, Thiruvannamalai, to the file of Subordinate court, Kallakurichi.

6. Since the petitioner is residing with her parents in Kallakurichi, in the interests of justice, F.C.O.P No.132 of 2022 is withdrawn from the file of Family Court, Thiruvannamalai and transferred to the file of Subordinate Court, Kallakurichi. The learned Family Court Judge, Thiruvannamalai, is directed to send all the records pertaining to F.C.O.P. No.132 of 2022 to the Subordinate Court, Kallakurichi with immediate effect.

7.In the result, the Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently connected miscellaneous petition is closed.

26.10.2022

Index: Yes/No
Internet: Yes/No
Speaking/Non-Speaking order
bga



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R. HEMALATHA, J.
bga

To

- 1.The Judge, Family Court, Thiruvannamalai
2. The Subordinate Judge, Kallakurichi.
- 3.The Section Officer, VR Section, High Court, Madras.

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