



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2022

CORAM

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM**

Tr.C.M.P.No.959 of 2022

and

C.M.P.No.16500 of 2022

Priya @ Antonyammal

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Petitioner

VS

Periyanayagam

..

Respondent

Prayer: Transfer CMP is filed under Section 24 of the Civil Procedure Code, to withdraw O.P.No.126 of 2021 pending on the file of the Principal District Court, Villupuram and transfer the same to Family Court, Perambalur.

For Petitioner : Mr.K.Balasubramaniam

For Respondent : No Appearance



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## ORDER

The prayer sought for in this transfer petition is to withdraw O.P.No.126 of 2021 pending on the file of the learned Principal District Court, Villupuram and transfer the same to the learned Family Court, Perambalur.

2. The marriage between the petitioner and the respondent was solemnized on 03.06.2018 as per the Christian Rites and Customs. One male child was born from and out of the wedlock between the petitioner and the respondent and is residing along with the petitioner / mother. Due to misunderstandings, the petitioner and the respondent are living separately.

3. The learned counsel for the petitioner states that the petitioner filed a Domestic Violence Case proceedings on the file of the learned Additional Mahila Court, Perambalur. The respondent filed O.P.No.126 of 2021 for dissolution of marriage on the file of the learned Principal District Court, Villupuram. The petitioner has to take care of her two and a half year old child and she is depending on her parents, thus, she is not in a position to



travel and contest the divorce case filed by the respondent.

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4. Considering the facts and circumstances, O.P.No.126 of 2021 pending on the file of the learned Principal District Court, Villupuram stands transferred to learned Family Court, Perambalur.

5. Learned Principal District Court, Villupuram is directed to transmit the case papers within a period of four weeks from the date of receipt of a copy of this order.

6. Accordingly, the transfer petition is closed. There will be no order as to costs. Consequently, the connected miscellaneous petition is closed.

**09.12.2022**

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Index : Yes / No

Speaking order / Non-speaking order

To

1. The Principal District Court, Villupuram.
2. The Family Court, Perambalur.



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**S.M.SUBRAMANIAM, J.**

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