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Tr.C.M.P.No.60 of 2023
and CMP.No.1517 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2023

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Tr.C.M.P.No.60 of 2023

and

CMP.No.1517 of 2023

Esther Christiana

... Petitioner

Vs.

1. Arun Prasath

2. Hairun Raihana

Respondents

...

3.

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., praying to withdraw the H.M.O.P.No. 59 of 2022 from the file of Family Court, Thirunelveli and transfer to the Family Court, Chennai.

For Petitioner

: Mr. M.P.Saravanan

For Respondents

: Mr. E.Kotteswaran vs
Mr. E.Chandrasekaran for R1
No appearance for R2



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ORDER

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The petitioner/wife seeks transfer of H.M.O.P.No.59 of 2022 pending on the file of the Family Court, Tirunelveli to the Family Court, Chennai. The petitioner /wife seeks transfer of the proceedings before the Family Court, Chennai on the ground that she is working at Chennai and she is not able to attend the Court hearings by travelling Chennai to Tirunelveli.

2. The learned counsel for the petitioner submitted that, the marriage between the respondent and the petitioner was solemnized on 29.03.2013 at Arulmigu Melavasal Subramaniaswamy Thirukovil, Palayamkottai as per Hindu rites and customs. Due to the harassment of the respondent, the petitioner had filed a H.M.O.P.No.59 of 2022, pending on the file of the Family Court, Tirunelveli. Now the petitioner is working at Chennai. Hence, she prays to transfer the HMOP.No.59 of 2022 to the Family Court, Chennai.

3. The learned counsel for the 1st respondent submitted the 1st respondent is living with his two children at Tirunelveli and it would cause



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hardship to attend the Court hearings by travelling Tirunelveli to Chennai by 500 kms along with his children. Hence, he prays to dismiss the petition.

4. Considering the facts and circumstances and the reason assigned by the petitioner as such is not justifiable.

5. Accordingly, this Transfer Civil Miscellaneous Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

12.12.2023

Index : Yes / No
Neutral Citation: Yes / No
Speaking/Non-speaking order

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To

1. The Family Judge, Thirunelveli.

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T.V.THAMILSELVI, J.

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