



Tr.C.M.P.No.123 of 2023

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2023

CORAM:

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Tr.C.M.P.No.123 of 2023

and

C.M.P.No.2541 of 2023

N.Mariya

... Petitioner

Vs.

S.Maria Jones

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, 1908, praying to withdraw the I.D.O.P.No.19 of 2022 on the file of Principal District Judge, Krishnagiri and to transfer the same to the file of Family Court Judge, Dharmapuri.

For Petitioner : Mr.C.Prabakaran

For Respondent : Mr.P.M.Jayachandran



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ORDER

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This petition has been filed by the Wife seeking to withdraw the IDOP.No.19/2022 on the file of the learned Principal District Judge, Krishnagiri and to transfer the same to the file of the Family Court, Dharmapuri.

2. It is the contention of the learned counsel for the petitioner that the petitioner is a housewife and she has a two years old child. Therefore, she is unable to travel from Dharmapuri to Krishnagiri to appear in this case.

3. The learned counsel for the respondent/husband submitted that he has raised serious objections stating that the distance between the Krishnagiri and Dharmapuri is faraway and the distance is more than 160 kms and seeks to dismiss the aforesaid transfer petition.

4. Heard the arguments of the learned counsel for the petitioner and the learned counsel for the respondent.



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5. Accordingly, the Transfer Civil Miscellaneous Petition is allowed.

The Principal District Judge, Krishnagiri is directed to withdrawn and transfer the entire case records within a period of two weeks from the date of receipt of a copy of this order to the file of Family Court Judge, Dharmapuri. The Family Judge, Dharmapuri is directed to give notice to both the parties before taking the I.D.O.P.No.19 of 2022 on file. No costs. Consequently, connected miscellaneous petition is closed.

05.04.2023

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
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To

1.The Family Court,
Dharmapuri.

2.The Principal District Judge,
Krishnagiri.



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T.V.THAMILSELVI, J.

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