



Tr.CMP.No.176 of 2023 and
CMP.No.3943 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2023

CORAM:

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

Tr.C.M.P.No.176 of 2023

and

CMP.No.3943 of 2023

G.Sowmiya	...	Petitioner
	Vs.	
A.Manikandan	...	Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., praying to withdraw O.P.No.6 of 2019 pending on the file of the Family Court, Krishnagiri and transfer the same to the Sub Court, Kanchipuram to be enquired and disposed of.

For Petitioner : Mr.P.Mani

For Respondent : No appearance

ORDER

The Transfer Civil Miscellaneous Petition has been filed to withdraw O.P.No.6 of 2019 pending on the file of the Family Court, Krishnagiri and transfer the same to the Sub Court, Kanchipuram.



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2.The learned counsel appearing for the petitioner/wife submitted that the marriage between the petitioner and the respondent was solemnized on 13.03.2014 at the residence of the respondent, thereafter it was registered in the office of the Joint Sub Registrar – I, Krishnagiri on 18.03.2014. Due to misunderstanding the petitioner had filed a divorce petition in HMOP.No.58 of 2015 before the learned Principal Subordinate Judge, Krishnagiri to dissolve the marriage, subsequently, it was transferred to the Additional Special Court, Krishnagiri on 19.11.2015 and once again transferred to the Family Court, Krishnagiri and renumbered as O.P.No.6 of 2019. Now the petitioner is working as a Doctor in various hospitals at Kanchipuram and Chengalpattu District and she finds it very difficult to attend each and every hearing of the case before the Family Court, Krishnagiri. Hence, she prays to transfer the case in HMOP.No.6 of 2019 to the Sub Court, Kanchipuram.

3. Considering the facts and circumstances and the reason assigned by the petitioner is justifiable, this Court is inclined to transfer the HMOP.No.6 of 2019 from the file of the Family Court, Krishnagiri to the Sub Court, Kanchipuram.



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4. In view of the above, H.M.O.P.No. 6 of 2019 is withdrawn from the file of the Family Court, Krishnagiri and transferred to the file of Sub Court, Kanchipuram. The Family Court, Krishnagiri is directed to send entire records to the Sub Court, Kanchipuram, within a period of two weeks from the date of receipt of a copy of this order and the learned Sub Judge, Kanchipuram is directed to issue notice to the respondent and dispose of the case as early as possible, preferably within a period of three months from the date of this order.

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

No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No

Neutral Citation: Yes / No

Speaking/Non-speaking order

sms

To

1.The Family Court, Krishnagiri.

2.The Sub Court, Kanchipuram.

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T.V.THAMILSELVI, J.

sms

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