



WEB COPY



Tr.CMP.No. 194 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2023

CORAM:

THE HONOURABLE **MRS. JUSTICE V. BHAVANI SUBBAROYAN**

Tr.C.M.P. No. 194 of 2023

and

C.M.P. No. 4362 of 2023

J. Prasannadevi

.. Petitioner

Versus

G. Premkumar

.. Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, to withdraw the H.M.O.P. No. 654 of 2022 from the file of the Family Court, Pondicherry and to transfer the same to the file of the Family Court, Chennai.

For Petitioner	: Ms.P. Arul Arasi
For Respondent	: Mr.M.Arul Raj

ORDER

This Transfer Civil Miscellaneous petition is filed to withdraw the H.M.O.P. No. 654 of 2022 from the file of the Family Court, Pondicherry and to transfer the same to the file of the Family Court, Chennai.



Tr.CMP.No. 194 of 2023

2. The case of the petitioner is that the marriage was solemnized on 02.11.2014 between the petitioner/wife and the respondent/husband before the Sub Registrar Office, Pondicherry vide Reg.No. 338/2015, dated 24.04.2015 as per the Hindu Marriage Act, 1955. After the marriage, there was some matrimonial dispute between them, the respondent/husband filed HMOP.No. 654 of 2022 before the Family Court, Pondicherry, seeking divorce from the petitioner. The parents of the petitioner are aged persons and they are taking care of her younger sister's two year old daughter as well as the petitioner taking IVF treatment at Chennai. The distance from Chennai to Pondicherry about 150 kms. Therefore, it is very difficult to attend the Court hearings from Chennai to Pondicherry. Hence, the petitioner has approached this Court under Section 24 of the Code of Civil Procedure.

3. Having regard to the facts and circumstances pointed out by the petitioner, this Court is inclined to transfer the proceeding. Hence, this Court is of the view that the transfer petition can be ordered on the basis of submission of the petitioner and facts found in the affidavit filed in support of this petition. Accordingly, HMOP.No. 654 of 2022 pending on the file of the Family Court, Puducherry, is hereby withdrawn and transferred to the file of the Family Court, Chennai.



Tr.CMP.No. 194 of 2023

WEB COPY

4. Accordingly, the Transfer Civil Miscellaneous petition is allowed.

After transferring the case, the Court below is directed to dispose of the HMOP.No. 654 of 2022 as expeditiously as possible in the manner known to law. Both parties are directed to co-operate for completing the trial. Consequently, connected Miscellaneous Petition is closed. No costs.

28.08.2023

Index:Yes/No

Speaking order / Non speaking order

MSM

To

1. The Family Court, Pondicherry.
2. The Family Court, Chennai.



WEB COPY



Tr.CMP.No. 194 of 2023

V. BHAVANI SUBBAROYAN, J

MSM

Tr.C.M.P. No. 194 of 2023

28.08.2023