



WEB COPY



Tr.C.M.P.No.193 of 2023
and CMP.No.4351 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.193 of 2023
and
CMP.No.4351 of 2023

Dhanalakshmi

... Petitioner

Vs.

Balaji

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., praying to withdraw and transfer M.O.P.No. 18 of 2023 on the file of the Family Court, Villupuram to the file of the Family Court at Vellore.

For Petitioner : Mr. J. Saravana Vel

For Respondent : M/s.T.Gayathri

For Mr.V.Kamalakumar



Tr.C.M.P.No.193 of 2023
and CMP.No.4351 of 2023

ORDER

WEB COPY

The petitioner/wife seeks transfer of M.O.P.No.18 of 2023 pending on the file of the Family Court, Villupuram to the Family Court, Vellore. The petitioner /wife seeks transfer of the proceedings before the Family Court, Vellore on the ground that she is living at Vellore in her parental home and she is not able to attend the Court hearings by travelling Vellore to Villupuram.

2. The learned counsel for the petitioner submitted that, the marriage between the respondent and the petitioner was solemnized on 04.06.2018 at Anandha Thirumana Mahal, Villupuram as per Hindu rites and customs. Due to misunderstanding the respondent had filed a M.O.P.No.18 of 2023, pending on the file of the Family Court, Villupuram. The petitioner has filed the complaint under Section 12 of the Domestic violence Act, before the learned Additional Mahila, Vellore. The DVC is posted for evidence and at the stage on his instructions the respondent counsel initiated settlement talks. While negotiations were going on, the respondent has filed MOP. Now the petitioner is residing at Vellore in her parental home without any



Tr.C.M.P.No.193 of 2023
and CMP.No.4351 of 2023

source of income. Hence, she prays to transfer the MOP.No.18 of 2023 to the Family Court, Vellore.

3. Considering the facts and circumstances and the reason assigned by the petitioner is justifiable, this Court is inclined to transfer the MOP.No.18 of 2023 to the Family Court, Vellore.

4. In view of the above, MOP.No.18 of 2023 is withdrawn from the file of the Family Court, Villupuram and transferred to the file of the Family Court, Vellore. The learned Family Judge, Villupuram is directed to send entire records to the learned Family Judge, Vellore, within a period of two weeks from the date of receipt of a copy of this order.

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



WEB COPY



Tr.C.M.P.No.193 of 2023
and CMP.No.4351 of 2023

T.V.THAMILSELVI, J.

rr

6. However, the learned Family Judge, Vellore is directed to issue notice to the respondent and dispose of the case as early as possible in the manner known to law.

12.12.2023

Index : Yes / No

Neutral Citation: Yes / No

Speaking/Non-speaking order

rr

To

1. The Family Judge, Villupuram.

2. The Family Judge, Vellore.

Tr.C.M.P.No.193 of 2023
and
CMP.No.4351 of 2023