



Tr.C.M.P.No.226 of 2023
and CMP.No.5017 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.226 of 2023

and

CMP.No.5017 of 2023

D. Thamilkavi

... Petitioner

Vs.

Desingu

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., praying to withdraw H.M.O.P.No. 84 of 2022 on the file of the Sub-Court, Kancheepuram and transfer the same to the Family Court, Chennai.

For Petitioner : Mr. A. Sumathy

For Respondent : Mr. K. Govi Ganesan

ORDER

The petitioner/wife seeks transfer of H.M.O.P.No.84 of 2022 pending on the file of the Subordinate Court, Kancheepuram to the Family



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Court, Chennai. The petitioner /wife seeks transfer of the proceedings before the Family Court, Chennai on the ground that she is living at Walajabad in her parental home and she is not able to attend the Court hearings by travelling Walajabad to Kancheepuram.

2. The learned counsel for the petitioner submitted that, the marriage between the respondent and the petitioner was solemnized on 15.12.2008 at Aandimadam Sengunthar Thirumana Mandapam, Vilanthai as per Hindu rites and customs. Out of their wed lock she have one male child. Due to the harassment of the respondent the petitioner had filed a H.M.O.P.No.84 of 2022, pending on the file of the Subordinate Court, Kancheepuram. Now the petitioner is under threat of the respondent and his family members hence she prays to transfer the HMOP.No.84 of 2022 to the Family Court, Chennai.

3. Considering the facts and circumstances and the reason assigned by the petitioner is justifiable, this Court is inclined to transfer the HMOP.No.84 of 2022 to the Subordinate Court, Tambaram.



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4. In view of the above, HMOP.No.84 of 2022 is withdrawn from the file of the Subordinate Court, Kancheepuram and transferred to the file of the Subordinate Court, Tambaram. The learned Subordinate Judge, Kancheepuram is directed to send entire records to the learned Subordinate Judge, Tambaram, 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.

6. However, the learned Subordinate Judge, Tambaram 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

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T.V.THAMILSELVI, J.

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To

1. The Subordinate Judge, Tambaram.
2. The Subordinate Court, Kancheepuram

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