



WEB COPY

Tr.CMP No.218 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2023

CORAM :

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

TR.CMP No.218 of 2023

and

C.M.P.No.4878 of 2023

Janet

.... Petitioner

-Vs-

R.Premkumar

.... Respondent

PRAYER : Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw IDOP No.94 of 2022 on the file of learned Principal District and Session Judge, Dharmapuri and transfer the same to the file of the Principal District Court, Salem.

For Petitioner : Mr.P.Jagadeesan

For Respondent : Mr.R.Prabakar

ORDER

The petitioner/wife seeks transfer of I.D.O.P.No.94 of 2022 pending on the file of learned Principal District and Session Judge, Dharmapuri to the file of the learned Principal District Court, Salem.



2. In fact, the respondent has filed a petition for divorce and issued legal notice on 10.09.2022, against which the petitioner/wife filed a petition for divorce before the learned Principal District and Session Judge, Dharmapuri in IDOP No.94 of 2022.

3. The petitioner married the respondent on 18.04.2021 as per the Christian Customs. Due to mis-understanding the respondent / husband filed I.D.O.P.No.92 of 2022 before the learned Principal District and Session Judge, Dharmapuri. She has no source of income, and now she is residing at Salem in her parents house. Therefore, she is unable to attend the Court from Salem to Dharmapuri. Hence she prays to transfer the matter.

4. The learned counsel for the respondent / husband submitted that he has been working as a Teacher in a Government High School, Kombur, and he is also having inconvenience to attend the Court proceedings at Salem.

5. On seeing the fact that due to the misunderstanding, the petitioner is living separately in her parents house at Salem and also no other source of income, and the respondent/husband also wants to attend the Court, but they have no issues.



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6. Considering the facts and Circumstances of the case, the matter is transferred from the file of the Principal District and Sessions Court, Dharmapuri to the file of the Principal District Court, Salem, and also the same is referred to the Mediation. Considering the fact that the respondent is working a Teacher in Government High School, the case may be adjourned to 1st Saturday of English Calender month, so he is able to attend the Court hearings and without availing any leave. Both the parties are directed to appear before the Mediation Centre, Salem, more particularly, on the 1st Saturday of English Calender.

7. In view of the above, I.D.O.P.No.94 of 2022 is withdrawn from the file of the Principal District and Session Judge, Dharmapuri and transferred to the file of the Principal District Court, Salem.

8. The learned Principal District and Session Judge, Dharmapuri, is directed to send entire records to the file of the Principal District Court, Salem within a period of two weeks from the date of receipt of a copy of this order.

9. Both the parties are directed to appear before the Mediation and Conciliation Centre, Salem, along with their respective counsels on 01.04.2023 at 10.30 a.m., without fail.



Tr.CMP No.218 of 2023

10.The Mediation and Conciliation Centre, Salem is directed to settle the matter within five sittings and report the same before the learned Principal District Judge, Salem if any.

11.Accordingly, this Tr.C.M.P.No.218 of 2023 is allowed. No costs. Consequently, connected miscellaneous petition is closed.

07.03.2023

Index : Yes/No
Internet : Yes/No
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To

- 1.The Principal District and Session Judge,
Dharmapuri
- 2.The Principal District Court, Salem.



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Tr.CMP No.218 of 2023

T.V.THAMILSELVI, J.
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