



WEB COPY

Tr.CMP. No.240 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2023

CORAM :

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

TR.CMP No.240 of 2023
and C.M.P.No.5226 of 2023

M.P.Priyanka

.... Petitioner

-Vs-

Mithun Ramalingam Parthiban

.... Respondent

Prayer : Transfer Civil Miscellaneous Petition under Section 24 of C.P.C., to withdraw the Divorce Petition in H.M.O.P.No.20 of 2023 pending on the file of the Family Court, Trichy and to transfer the same to the Hon'ble II Additional Principal Family Court, Chennai to try along with M.C.No.127 of 2023.

For Petitioner : Mr.E.Maharajan

For Respondent : No representation

ORDER

This petition has been filed by the petitioner seeking to withdraw the Divorce Petition in H.M.O.P.No.20 of 2023 pending on the file of the Family Court, Trichy and to transfer the same to the Hon'ble II Additional Principal Family Court, Chennai to try along with M.C.No.127 of 2023.



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2. The learned counsel for the petitioner submitted that the marriage between the petitioner and the respondent was solemnized on 31.03.2021. He further submitted that the petitioner has been tortured at the hands of the respondent and his family members. Thereafter, the respondent filed divorce in HMOP.No.20 of 2023 on the file of the Family Court, Trichy on the ground of cruelty making false allegations against this petitioner. Further, the petitioner filed maintenance petition in M.C.No.127 of 2023 on the file of the Hon'ble II Additional Principal Family Court, Chennai. Both cases are pending. He further submitted that the petitioner is residing at Chennai and it is very difficult for the petitioner to attend the court hearings at Trichy. Hence, he prays to transfer the HMOP to the II Additional Principal Family Court, Chennai.

3.The Court records show that the notice issued by this Court was served on the respondent. Hence, as the respondent is not coming before this Court either in person or through a counsel, in spite of the service of notice, this Court is of the view that the respondent has no objection for allowing the Tr.C.M.P. in favour of the petitioner.



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4. Considering the facts and circumstances of the case and also the fact that the petitioner is residing at Chennai along with her mother without source of income. Therefore, the reasons stated by the petitioner and the same is justifiable. Accordingly, the present Tr.C.M.P. is allowed and the H.M.O.P.No.20 of 2023 pending on the file of the Family Court, Trichy, is withdrawn and transferred to the file of the Hon'ble II Additional Principal Family Court, Chennai to tried along with M.C.No.127 of 2023. No costs. Consequently, connected miscellaneous petition is closed.

27.03.2023

Index : Yes/No
Internet : Yes/No
msrm

To

1.The Family Court, Trichy.

2.The II Additional Principal Family Court, Chennai.



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T.V.THAMILSELVI, J.

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