



WEB COPY

Tr. CMP. No.488 of 2023



**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 14.12.2023**

**CORAM :**

**THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI**

**TR.CMP No.488 of 2023**  
**and C.M.P.No.11760 of 2023**

Jenifer

.... Petitioner

-Vs-

Avin @ Sagaya Arokiyaraj

.... Respondent

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C., to withdraw the IDOP.No.31 of 2023 on the file of the Hon'ble Principal District Court, Tiruvarur and transfer the same to the file of the Hon'ble Family Court at Karaikal.

For Petitioner : Mr.E.Chandrasekaran

For Respondent : No appearance

**ORDER**

This petition has been filed by the petitioner seeking to withdraw the IDOP.No.31 of 2023 on the file of the Principal District Court, Tiruvarur and transfer the same to the file of the Family Court, Karaikal.



WEB COPY

2. The learned counsel for the petitioner submitted that the marriage was solemnized between the petitioner and the respondent on 18.05.2014 and they having two children. Further, there was some difference of opinion, the respondent filed a petition for divorce in IDOP.No.31 of 2023 before the Principal District Court, Tiruvarur, on false allegation against the petitioner. He further submitted that the petitioner is living with her aged parents without source of income and it is very difficult for the petitioner to attend the court hearings along with children at Tiruvarur. Hence, he prays to allow this petition.

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.

4. Considering the facts and circumstances of the case and also the fact that the petitioner is living with her aged parents without any source of income. Therefore, the reasons stated by the petitioner and the same is justifiable.



Tr. CMP. No.488 of 2023

Accordingly, the present Tr.C.M.P. is allowed and the IDOP.No.31 of 2023 pending on the file of the Principal District Court, Tiruvarur, is withdrawn and transferred to the file of the Family Court, Karaikal. Consequently, connected miscellaneous petition is closed. No costs.

5. The trial Judge, Family Court, Karaikal, is directed to issue notice to the respondent/husband, within a period of two weeks from the date of receipt of a copy of this order and proceed with case as per manner known to law.

**14.12.2023**

Speaking / Non Speaking order

Neutral Citation : Yes/No

Index :Yes/No

msrm

To

1.The Principal District Court, Tiruvarur..

2.The Family Court, Karaikal.



WEB COPY



Tr. CMP. No.488 of 2023

**T.V.THAMILSELVI, J.**

msrm

**TR.CMP No.488 of 2023**  
**and C.M.P.No.11760 of 2023**

**14.12.2023**