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Tr.CMP.No.556 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2023

CORAM :

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

**TR.CMP No.556 of 2023**  
**and C.M.P.Nos.13174 & 24030 of 2023**

M.Geetha

... Petitioner

Vs

S.Prabhakaran

... Respondent

**Prayer :** Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw H.M.O.P.No.338 of 2023 on the file of the Family Court, Salem and transfer the same to Family Court at Thoothukudi.

For Petitioner : Mr.R.Nalliyappan

For Respondent : Mr.S.M.Vivek Anandh

**ORDER**

This petition has been filed by the petitioner seeking to withdraw H.M.O.P.No.338 of 2023 pending on the file of the Family Court, Salem and transfer the same to Family Court, Thoothukudi.



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2.The learned counsel for the petitioner submitted that the marriage between the petitioner and the respondent on 03.02.2016 and they begotten a male child on 24.12.2020. He further submitted that the petitioner has been tortured at the hands of the first respondent and harassed her. Thereafter, the respondent filed a petition in H.M.O.P.No.338 of 2023 for dissolution of marriage. He further submitted that the petitioner is residing in parents home and it is very difficult for the petitioner to attend the court hearings at Salem and she was unable to travel approximately 372 kilometers along with the child. Hence, he prays to allow this petition.

3.Learned counsel appearing for the petitioner/wife submitted that the respondent/husband is not providing maintenance amount to the petitioner/wife.

4.Learned counsel appearing for the respondent/husband submitted that the petitioner/wife is working in a bank and earning.

5.Considering the facts and circumstances of the case and also the fact that the petitioner is residing at parents home along with her child and she is unable to travel for 372 kilometers. Therefore, the reasons stated by the petitioner and the same are justifiable.



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6. Accordingly, the present Tr.C.M.P. is allowed and H.M.O.P.No.338 of 2023 pending on the file of the Family Court, Salem, is withdrawn and transferred to the file of the Family Court, Thoothukudi. As and when the Court insists on the appearance of the respondent, the respondent will appear for the Court proceedings. No costs. Consequently, the connected miscellaneous petitions are closed.

7. The respondent/husband is directed to pay the interim maintenance amount of Rs.7,000/- to the petitioner/wife's account directly on the first week of every month.

8. The Family Court, Thoothukudi is directed to issue notice to the respondent/husband and proceed with the case in H.M.O.P.No.338 of 2023 in the manner known to law.

18.10.2023

Speaking / Non Speaking order

Neutral Citation : Yes/No

Index : Yes/No

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

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To

- 1.The Family Court, Salem.
- 2.The Family Court, Thoothukudi.

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