



WEB COPY

Tr. CMP. No.599 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.10.2023

CORAM :

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

TR.CMP No.599 of 2023
and C.M.P.No.14882 of 2023

R.Elavarasi

.... Petitioner

-Vs-

A.Anbu @ Arun

.... Respondent

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C., to withdraw HMOP.No.299 of 2022 on the file of the Family Court, Cuddalore and transfer the same to the Principal Family Court, Pondicherry.

For Petitioner : Mr.J.Aravind

For Respondent : Mr.R.Muralidharan

ORDER

This petition has been filed by the petitioner seeking to withdraw HMOP.No.299 of 2022 on the file of the Family Court, Cuddalore and transfer the same to the Principal Family Court, Pondicherry.



2. The learned counsel for the petitioner submitted that the petitioner was married to the respondent on 20.11.2020 and the respondent /husband was working as Armed Reserve in the Tamil Nadu Police Department, Prambur and the respondent was mostly away from house. He further submitted that the petitioner has been tortured by the mother-in-law and harassed her. Thereafter, the respondent filed a petition for divorce in HMOP.No.299 of 2022 on the file of the Family Court, Cuddalore, on the ground of cruelty making false allegations against this petitioner. He further submitted that the petitioner's parents have tried to settle the problem between them but the respondent has refused the same. Further, the respondent is a influenced person and he threatened the petitioner. He further submitted that the petitioner is living with her parents at Pondicherry and it is very difficult for the petitioner to attend the court hearings at Cuddalore and she was unable to travel 30 kilometers along with her parents. Hence, he prays to allow this petition.

3. The learned counsel for the respondent submitted that the respondent has raised formal objection to allow this petition.



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4. Considering the facts and circumstances of the case and also the fact that the petitioner is living with her parents and she unable to attend the Court hearings. Further, the petitioner was threatened by the respondent's family. Therefore, the reasons stated by the petitioner and the same is justifiable. Accordingly, the present Tr.C.M.P. is allowed and the HMOP.No,299 of 2022 pending on the file of the Family Court, Cuddalore, is withdrawn and transferred to the file of the Principal Family Court, Pondicherry. Consequently, connected miscellaneous petition is closed. No costs.

5. The Family Court, Pondicherry, 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 the case as per manner known to law.

05.10.2023

Speaking / Non Speaking order

Neutral Citation : Yes/No

Index :Yes/No

msrm

To

1.The Family Court, Cuddalore.

2.The Principal Family Court, Pondicherry.

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T.V.THAMILSELVI, J.

msrm

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