



Tr.CMP.No.622 of 2023 and
CMP.No.15515 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2023

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Tr.C.M.P.No.622 of 2023

and

CMP.No.15515 of 2023

S.Durga

...

Petitioner

Vs.

B.Gopinath

...

Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., praying to withdraw F.C.O.P.No.163 of 2021 before the Hon'ble Family Court, Tiruvannamalai and transfer the same to the file of the Family Court at Pondicherry.

For Petitioner : Mr.E.V.Chandru

For Respondent : Mr.G.Sumitra

ORDER

The Transfer Civil Miscellaneous Petition has been filed to withdraw F.C.O.P.No.163 of 2021 before the Family Court, Tiruvannamalai and transfer the same to the file of the Family Court at Pondicherry.



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2.The learned counsel appearing for the petitioner/wife submitted that the marriage between the petitioner and the respondent was solemnized on 28.05.2021 at the respondent's house in Allikondaapattu, Tiruvannamalai as per Hindu Religious Rites and Ceremonies. Due to misunderstanding between them, they separated. Thereafter, the respondent had filed F.C.O.P.No.163 of 2021 before the Family Court, Tiruvannamalai for restitution of conjugal rights, in which, the petitioner has filed her counter on 22.09.2022. Now the petitioner is residing at her parents house namely Arumparthapuram, Pondicherry. The distance between Tiruvannamalai and Pondicherry is 250 kms up and down and she got aged and sick widow mother and she finds it very difficult to attend each and every hearing of the case before the Family Court, Tiruvannamalai. Hence, she prays to transfer the case in F.C.O.P.No.163 of 2021 to the Family Court, Pondicherry.

3. Considering the facts and circumstances and the reason assigned by the petitioner is justifiable, this Court is inclined to transfer the F.C.O.P.No.163 of 2021 from the file of the Family Court, Tiruvannamalai to the Family Court, Pondicherry.



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4. In view of the above, F.C.O.P.No.163 of 2021 is withdrawn from the file of the Family Court, Tiruvannamalai and transferred to the file of Family Court, Pondicherry. The Family Court, Tiruvannamalai is directed to send entire records to the Family Court, Pondicherry, within a period of two weeks from the date of receipt of a copy of this order and the learned Family Court, Pondicherry is directed to issue notice to the respondent and dispose of the case as early as possible, preferably within a period of three months from the date of this order.

5. Accordingly, this Transfer Civil Miscellaneous Petition is allowed.

No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No

Neutral Citation: Yes / No

Speaking/Non-speaking order

sms

To

1.The Family Court, Tiruvannamalai.

2.The Family Court, Pondicherry.

22.11.2023

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T.V.THAMILSELVI, J.

sms

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