



WEB COPY



Tr. CMP. No.739 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2023

CORAM :

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

TR.CMP No.739 of 2023
and C.M.P.No.17976 of 2023

Sathiya

....

Petitioner

-Vs-

Harishankar

....

Respondent

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C., to withdraw the case proceedings of the case bearing HMOP No.173 of 2020 on the file of the Hon'ble Family Court, Cuddalore to the Hon'ble Family Courts, Chennai.

For Petitioner : M/s.N.Alamelu Mangai

For Respondent : Mr.E.Murugan

ORDER

This petition has been filed by the petitioner seeking to withdraw the case proceedings of the case bearing HMOP No.173 of 2020 on the file of the Hon'ble Family Court, Cuddalore to transfer the same to the Hon'ble Family Courts, Chennai.



2. The learned counsel for the petitioner submitted that the marriage between the petitioner and the respondent was solemnized on 21.08.2016 and they begotten the male child on 24.06.2017. He further submitted that the petitioner has been tortured at the hands of the respondent and his family members. Thereafter, the respondent filed a petition for dissolution of marriage against the petitioner in HMOP No.173 of 2020 on the file of the Family Court, Cuddalore. 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 Cuddalore and she was unable to travel 175 kilometers along with child. Hence, he prays to allow this petition.

3. The learned counsel for the respondent submitted 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 residing at parents home along with her child and she unable to travel for 175 kilometers. 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,173 of 2020 pending on the file of the Family Court, Cuddalore, is



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withdrawn and transferred to the file of the Family Court, Chennai.

Consequently, connected miscellaneous petition is closed. No costs.

5. The Family Court Judge, is directed to issue notice to the respondent/husband and dispose the case within a period of four weeks from the date of receipt of a copy of this order.

04.10.2023

Speaking / Non Speaking order

Neutral Citation : Yes/No

Index :Yes/No

msrm

To

1.The Family Court, Cuddalore.

2.The Family Court, Chennai.



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T.V.THAMILSELVI, J.

msrm

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