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Tr. CMP. No.722 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.722 of 2023
and C.M.P.No.17489 of 2023

M.Chitra

....

Petitioner

-Vs-

S.Jothilingam

....

Respondent

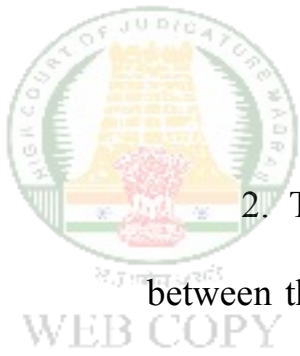
Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C., to withdraw FCOP.No.216 of 2021 on the file of the Family Court, Tiruvannamalai and transfer it to the file of the Family Court, Dharmapuri.

For Petitioner : Mr.S.Velmurugan

For Respondent : No appearance

ORDER

This petition has been filed by the petitioner seeking to withdraw FCOP.No.216 of 2021 on the file of the Family Court, Tiruvannamalai and transfer it to the file of the Family Court, Dharmapuri.



2. The learned counsel for the petitioner submitted that the marriage between the petitioner and the respondent on 26.10.2020 and they begotten the premature female child on 30.06.2021. 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 divorce in FCOP.No.216 of 2021 on the file of the Family Court, Tiruvannamalai on the ground of cruelty making false allegations against this petitioner. 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 Tiruvannamalai and she was unable to travel 300 kilometers along with 2 years female child. 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 residing at parents home along with her female child and she



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unable to travel for 300 kilometers. Therefore, the reasons stated by the petitioner and the same is justifiable. Accordingly, the present Tr.C.M.P. is allowed and the FCOP.No,216 of 2021 pending on the file of the Family Court, Tiruvannamalai, is withdrawn and transferred to the file of the Family Court, Dharmapuri. Consequently, connected miscellaneous petition is closed. No costs.

5. The trial Judge, Dharmapuri is directed to issue notice to the respondent/husband and dispose the case in the manner known to law.

04.10.2023

Speaking / Non Speaking order
Neutral Citation : Yes/No
Index :Yes/No
msrm

To
1.The Family Court, Tiruvannamalai.
2.The Family Court, Dharmapuri.



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T.V.THAMILSELVI, J.

msrm

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