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Tr.CMP.No. 848 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2023

CORAM:

THE HONOURABLE **MRS. JUSTICE V. BHAVANI SUBBAROYAN**

Tr.C.M.P. No. 848 of 2023

and

CMP.No. 20340 of 2023

G. Rahuman

.. Petitioner

Versus

M.G. Shaheen

.. Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, to withdraw the O.S. No. 24 of 2018 from the file of the IV Additional Family Court, Chennai, , which has been transferred as O.S.No. 53 of 2023 to the file of the Principal District Munsif, Tirupathur, Tirupathur District and transfer the same on the file of the Principal District Munsif, Ranipet, Ranipet District.

For Petitioner

: Mr.H. Mohamed Ghouse

ORDER

This Transfer Civil Miscellaneous petition is filed to withdraw the O.S. No. 24 of 2018 from the file of the IV Additional Family Court, Chennai, , which has been transferred as O.S.No. 53 of 2023 to the file of the Principal



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District Munsif, Tirupathur, Tirupathur District and transfer the same on the file of the Principal District Munsif, Ranipet, Ranipet District.

2. The case of the petitioner is that the marriage was solemnized between the petitioner/husband and the respondent/wife on 26.04.2015 as per the Islamic Rites and Customs at Radhakrishnan Mahal, Vaniyambadi, Tirupathur District. After disputing the matrimonial, the petitioner all his possible efforts for reunion with the respondent has failed. Subsequently, the respondent has filed Tr.CMP.No. 1214 of 2022 before this Court seeking to transfer the suit in O.S.No. 24 of 2018 and the same was transferred to the Principal District Munsif Court, Tirupathur and renumbered as OS.No. 53 of 2023. The petitioner appeared before the Principal District Munsif Court, Tirupathur, the respondent/wife threatened the petitioner with dire consequences. In this regard, the petitioner lodged a complaint to the Tirupathur Town Police and registered a case in CSR.No. 373 of 2023, dated 12.06.2023. Therefore, the petitioner has come forward with the present petition under Section 24 of CPC.

3. Having regard to the aforesaid facts and circumstances of the case,



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and the submissions made by the learned counsel for the petitioner, this Court is not inclined to transfer the proceedings. Hence, this Court is of the view that if the petitioner has life threaten by the respondent/wife, the petitioner shall approach the concerned jurisdictional Police Officials and proceed further in the manner known to law.

4. Accordingly, the Transfer Civil Miscellaneous Petition is disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

11.09.2023

Index:Yes/No
Speaking order / Non speaking order
MSM

To

1. The Principal District Munsif, Tirupathur District.
2. The Family Court, Chennai.



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V. BHAVANI SUBBAROYAN, J

MSM

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