



Tr.C.M.P.No.935 of 2023
and CMP.No.22577 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:03.10.2023

CORAM:

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

Tr.C.M.P.No. 935 of 2023
and
CMP.No.22577 of 2023

I.Alima
W/o.G.Yuvaraj

... Petitioner

Vs.

G.Yuvaraj
S/o. Ganesan

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., praying to withdraw the O.S.No. 6 of 2023 pending before the I Additional Judge, Family Court, Chennai and transfer the same to the Family Court, Tiruvannamalai.



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Tr.C.M.P.No.935 of 2023
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For Petitioner : Mr. N.Ramachandran

ORDER

The petitioner/wife seeks transfer of O.S.No.6 of 2023 pending on the file of I Additional Judge, Family Court, Chennai to the Family Court, Tiruvannamalai. The petitioner /wife seeks transfer of the proceedings before the Family Court, Tiruvannamalai on the ground that she is living with one male child with her parents house at Tiruvannamalai, and she is not able to attend the court hearings by travelling more than 250 kms. from Chennai.

2. The learned counsel for the petitioner submitted that, the marriage between the respondent and the petitioner was solemnized on 15.12.2019 at Dravida Viduthalai Kazhagam, No.95, Dr.Nadesan Salai, Ambedkar Bridge, Mylapore, Chennai, as per self respect marriage. Out of the wedlock, one male children born to them. He further submitted that the respondent had given promise that he will convert himself from Hindu religion to Muslim



Tr.C.M.P.No.935 of 2023
and CMP.No.22577 of 2023

WEB COPY

religion, but never converted to Muslim religion and continuously given torture to her till the date of her deliver. Thereafter, the petitioner went to her parental home at Tiruvannamalai. In the mean time, the respondent has filed O.S.No.6 of 2023 before the learned I Additional Family Court, Chennai for Dissolution of Marriage held between her and the respondent. The petitioner alone is looking after the welfare of the said child. On each and every hearings she has to travel approximately 250 kms from Tiruvannamalai. Hence, she prays to transfer the O.S.No.6 of 2023, to the Family Court, Tiruvannamalai.

3. Considering the facts and circumstances and the reason assigned by the petitioner is justifiable, this Court is inclined to transfer the O.S.No.6 of 2023, to the Family Court, Tiruvannamalai.

4. In view of the above, O.S.No.6 of 2023 is withdrawn from the file of the I Additional Judge, Family Court, Chennai and transferred to the file of Family Court, Tiruvannamali, to be disposed of in accordance with law and the learned I Additional Judge, Family Court, Chennai, is directed to



Tr.C.M.P.No.935 of 2023
and CMP.No.22577 of 2023

send entire records to the learned Family Judge, Tiruvannamalai, within a period of two weeks from the date of receipt of a copy of this order.

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

No costs. Consequently, connected miscellaneous petition is closed.

6. However, the Family Judge, Tiruvannamalai 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.

03.10.2023

Index : Yes / No

Neutral Citation: Yes / No

Speaking/Non-speaking order

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To

1. The I Additional Judge, Family Court, Chennai

2. The Family Judge, Tiruvannamalai.

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Tr.C.M.P.No.935 of 2023
and CMP.No.22577 of 2023

T.V.THAMILSELVI, J.

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Tr.C.M.P.No.935 of 2023
and
CMP.No.22577 of 2023

03.10.2023