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Tr.CMP. No.984 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2023

CORAM :

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

TR.CMP No.984 of 2023
and C.M.P.No.23671 of 2023

N.Balasundari

.... Petitioner

-Vs-

Siva Raj @ Raju

.... Respondent

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 23 and 24 of C.P.C., to withdraw the HMOP.No.2687 of 2023 on the file of III Additional Family Court, at Chennai and transfer the same to the Hon'ble Sub Court, Tiruchendur.

For Petitioner : Mr.S.Marshall

For Respondent : Mr.K.Senthil

ORDER

This petition has been filed by the petitioner seeking to withdraw the case in HMOP.No.2687 of 2023 from the file of the III Additional Family Court, Chennai and to transfer the same to the Hon'ble Sub Court, Thiruchendur.



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2. The learned counsel for the petitioner submitted that the marriage was solemnized between the petitioner and the respondent on 10.09.2021. After a few month, the respondent and his family members have harassed the petitioner. Further, the respondent filed a petition for divorce in HMOP.No.2687 of 2023 before the III Additional Family Court, Chennai, on making false allegation against the petitioner. He further submitted that the petitioner filed petition against the respondent in D.V.O.P.No.7 of 2023 on the file of the learned Judicial Magistrate Court, Thiruchendur. He also further submitted that the petitioner is living with her aged parents at Tiruchendur and it is very difficult for the petitioner to attend the court hearings at Chennai. Hence, he prays to allow this petition.

3. The learned counsel for the respondent submitted that there is a life threat to the respondent. Hence, he raised objection to allow this petition.

4. Considering the facts and circumstances of the case and also the fact that the petitioner is living with her aged parents and she unable to attend the Court hearings at Chennai. Therefore, the reasons stated by the petitioner and



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the same is justifiable. Accordingly, the present Tr.C.M.P. is allowed and the HMOP.No,2687 of 2023 pending on the file of the III Additional Family Court, Chennai, is withdrawn and transferred to the file of the Sub Court, Tiruchendur. Consequently, connected miscellaneous petition is closed. No cost.

01.11.2023

Speaking / Non Speaking order

Neutral Citation : Yes/No

Index :Yes/No

msrm

To

1.The learned III Additional Family Court, Chennai.

2.The Sub Court, Tiruchendur.



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T.V.THAMILSELVI, J.

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