



Tr.C.M.P.No.979 of 2023  
and CMP.No.23600 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

DATED: 16.10.2023

CORAM:

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

Tr.C.M.P.No.979 of 2023

and

CMP.No.23600 of 2023

----

JayaShree

W/o.Radhakrishnan

... Petitioner

Vs.

Radhakrishnan

S/o. Krishnamoorthy

.. Respondent

**PRAYER:** Transfer Civil Miscellaneous Petition filed under Article 115 of

Constitution of India read with Order 24 of Civil Procedure Code, praying

to withdraw the H.M.O.P.No. 97 of 2023 pending on the file of the Family

Court, Pudukottai and transfer the same to the Family Court, Chennai.

For Petitioner

: Mr. B.K.Singii

**ORDER**

The petitioner/wife seeks transfer of H.M.O.P.No. 97 of 2023

pending on the file of the Family Court, Pudukottai to the Family Court,

Chennai. The petitioner /wife seeks transfer of the proceedings before the



Tr.C.M.P.No.979 of 2023  
and CMP.No.23600 of 2023

Family Court, Chennai, on the ground that she is residing at Chennai and she is not able to attend the Court hearings by travelling 300 kms from Chennai to Pudukottai.

2. The learned counsel for the petitioner submitted that, the marriage between the respondent and the petitioner was solemnized on 27.01.2005, at Muyal Mark Thirumana Mandapam, as per Hindu Rites and customs. It was second marriage for both of us. Due to misunderstanding they got separated and she has no source of income, now she is residing in her parents home at Chennai and it is very difficult to attend the Court hearings by travelling from Chennai to Pudukottai. Moreover her father is a former Deputy Secretary to Government, who is aged about 90 year and not able to move and depend upon her help. He further submitted that the respondent had filed a petition for divorce in O.P.No. 97 of 2023 for dissolution of marriage and the same is pending on the file of the Family Court, Pudukottai. Hence, she prays to transfer the O.P.No.97 of 2023, to the Family Court, Chennai.

3. Considering the facts and circumstances, no source of income the



Tr.C.M.P.No.979 of 2023  
and CMP.No.23600 of 2023

petitioner living in her parents home and her father is aged about 90 year and it is difficult to attend the Court hearings by travelling 300 kms from Chennai to Pudukottai. The reason assigned by the petitioner is justifiable. Hence, this Court is inclined to transfer the proceeding in O.P.No. 97 of 2023 pending on the file of the Family Court, Pudukottai to the Family Court, Chennai.

4. In view of the above, O.P.No.97 of 2023 is withdrawn from the file of the Family Court, Pudukottai and transferred to the file of the Family Court, Chennai, to be disposed of the case in accordance with law and the learned Family Judge, Pudukottai is directed to send the entire records to the learned Family Judge, Chennai, 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. Consequently, connected miscellaneous petition is closed. No costs. However, the learned Family Judge, Chennai is directed to issue notice to

**T.V.THAMILSELVI, J.**



WEB COPY



Tr.C.M.P.No.979 of 2023  
and CMP.No.23600 of 2023

rri

the respondent and then dispose of the case as early as possible, as per manner known to law.

**16.10.2023**

Index : Yes / No

Neutral Citation: Yes / No

Speaking/Non-speaking order

rri

To

1. The Family Judge, Chennai.
2. The Family Judge, Pudukottai.

Tr.C.M.P.No.979 of 2023  
and  
CMP.No.23600 of 2023