



Tr.C.M.P.No.1001 of 2023
and CMP.No.24169 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.10.2023

CORAM:

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

Tr.C.M.P.No.1001 of 2023

and

CMP.No.24169 of 2023

C.V.Christiyana Joshiba
W/o.Suresh P.S.Shajin

... Petitioner

Vs.

Suresh P.S.Shajin
S/o. A.K.Preman

.. Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, praying to withdraw and transfer the I.D.O.P.No. 485 of 2023 from the file of the learned Family Court, Nagercoil at Kanyakumari to the learned Family Judge, Chennai.

For Petitioner : Mr. V.Z.Victor

ORDER

The petitioner/wife seeks transfer of I.D.O.P.No. 485 of 2023 from



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the file of the learned Family Court, Nagercoil at Kanyakumari to the learned Family Judge, Chennai. The petitioner /wife seeks transfer of the proceedings before the Family Court, Chennai, on the ground that she is now residing at Chennai with one female child, and she is not able to attend the Court hearings by travelling 400 kms from Chennai to Nagercoil.

2. The learned counsel for the petitioner submitted that, the marriage between the respondent and the petitioner was solemnized on 10.12.2020, at CSI, District Church, Kirathoor, Killiyoor, Kanyakumari, as per Christian Rites and Customs Act. Out of the wedlock, one female child born to them. He further submitted that the petitioner's parents have given 140 sovereigns of jewels and other house hold articles to the respondent and his family members, even, further they harassed the petitioner by demanding dowry. Therefore, she had filed a petition for divorce in I.D.O.P.No. 485 of 2023, on the ground of cruelty, before the learned Family Judge, Nagercoil and the next date of hearing of the case is on 12.12.2023. Hence, she prays to transfer the I.D.O.P.No. 485 of 2023 to the learned Family Judge, Chennai.



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3. Considering the facts and circumstances, now the petitioner is living in her parents home with her child and it is difficult to attend the Court hearings by travelling 400 kms from Nagercoil to Chennai. The reason assigned by the petitioner is justifiable. Hence, this Court is inclined to transfer the proceeding in I.D.O.P.No. 485 of 2023 from the file of the learned Family Court, Nagercoil, Kanyakumari to the learned Family Judge, Chennai.

4. In view of the above, I.D.O.P.No. 485 of 2023 is withdrawn from the file of the Family Court, Nagercoil and transferred to the file of the Family Court, Chennai, and the learned Family Judge, Nagercoil is directed to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



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T.V.THAMILSELVI, J.

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

19.10.2023

Index : Yes / No
Neutral Citation: Yes / No
Speaking/Non-speaking order

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To

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

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