



Tr.CMP No.1200 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30-01-2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Tr.CMP No.1200 of 2022

And

CMP No.20682 of 2022

R.Vimala

.. Petitioner

VS.

D.Rajesh Kumar

.. Respondent

PRAYER : This Transfer CMP is filed under Section 24 of the Civil Procedure Code, to withdraw the case in IDOP No.32 of 2022 from the file of the Principal District Court at Ramanathapuram and transfer the same to the file of the Family Court at Chennai.

For Petitioner : Mr.J.Jayan for
Mr.W.Camyles Gandhi

For Respondent : No Appearance



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ORDER

The present Transfer Civil Miscellaneous Petition is filed to withdraw the case in IDOP No.32 of 2022 from the file of the Principal District Court at Ramanathapuram and transfer the same to the file of the Family Court at Chennai.

2. The marriage between the petitioner and the respondent was solemnised on 17.02.2012 as per the Christian Rites and Customs. One male and girl children were born from and out of the wedlock between the petitioner and the respondent now aged 9 and 7 years respectively. Both the minor children are now living with the petitioner.

3. The respondent filed IDOP No.32 of 2022 for dissolution of marriage now pending on the file of the Principal District Court at Ramanathapuram.



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4. The learned counsel for the petitioner states that the petitioner and her minor children are residing along with her aged parents at Chennai and she has to look after the children. The petitioner is unemployed and she is depending on her parents. Thus, she is not in a position to travel all along from Chennai to Ramanathapuram to contest the divorce petition filed by the respondent before the Principal District Court at Ramanathapuram.

5. In the present case, the transfer of the case is to be considered, since the petitioner and her minor children are residing along with her parents at Chennai.

6. That being the case, the dissolution of marriage case filed by the respondent in IDOP No.32 of 2022 pending on the file of the Principal District Court at Ramanathapuram is to be transferred to the place, where the petitioner now resides.

7. Considering the facts and circumstances, the IDOP No.32 of



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2022 pending on the file of the Principal District Court at Ramanathapuram stands transferred to the Family Court at Chennai forthwith. The Principal District Court at Ramanathapuram is directed to transmit the case papers to the file of the Family Court at Chennai, within a period of four weeks from the date of receipt of a copy of this order.

8. With the abovesaid directions, the Transfer Civil Miscellaneous Petition stands allowed. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

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Speaking Order/Non-Speaking Order.
Neutral Citation : Yes/No.
Internet : Yes/No.
Index: Yes/No.
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To

1.The Principal District Judge,
Principal District Court,
Ramanathpuram.

2.The Judge,
Family Court,
Chennai.

S.M.SUBRAMANIAM, J.

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