

**IN THE HIGH COURT OF JUDICATURE AT MADRAS****DATED : 15.12.2023****CORAM****THE HON'BLE MRS.JUSTICE T.V.THAMIL SELVI****TR CMP.No. 1039 of 2023****and****CMP.No.25215 of 2023**

J.Mary Nancy Sherly

... Petitioner

Vs.

Johnson Gregory

... Respondent

Prayer : Transfer Civil Miscellaneous Petition filed under Section 24 of CPC to withdraw the IDOP No.51 of 2022 on the file of the Principal District Court, Ramanathapuram and transfer the same to the file of the Principal Family Court, High Court Campus, Chennai.

For Petitioner : Ms.H.Mary Sowmi Rexi

For Respondent : Notice delivered on 24.11.2023
Tracking sheet only filed



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ORDER

The petitioner/wife seeks transfer of I.D.O.P.No.51 of 2022 pending on the file of the Principal District Court, Ramanathapuram, to the Principal Family Court, High Court Campus, Chennai. The petitioner /wife seeks transfer of the proceedings before the Principal Family Judge, High Court Campus, Chennai on the ground that she is living at Chennai in her parental home along with 2 male child, without any source of income and she is not able to attend the Court hearings by travelling Ramanathapuram to Chennai.

2. The learned counsel for the petitioner submitted that, the marriage between the respondent and the petitioner was solemnized on 13.05.2018 as per Christian religious rites and customs at Alangara Matha Church, Paramakudi, Sivaganga District. Due to matrimonial dispute the respondent has filed I.D.O.P.No.51 of 2022 on the file of the Principal District Court, Ramanathapuram to dissolve the marriage. He further submitted that the matrimonial house is in Chennai and the respondent is also working in Chennai, and to harass the petitioner, he filed a petition before the Principal



District Judge, Ramanathapuram. Now the petitioner is residing at Choolaimedu, Chennai along with her child without any source of income.

Hence, she prays to transfer the I.D.O.P.No.51 of 2022, to the file of the Principal Family Court, High Court Campus, Chennai.

3. Considering the facts and circumstances and the reason assigned by the petitioner is justifiable, this Court is inclined to transfer the I.D.O.P.No.51 of 2022 to the file of the Principal Family Court, High Court Campus, Chennai.

4. In view of the above, I.D.O.P.No. 51 of 2022 is withdrawn from the file of the Principal District Court, Ramanathapuram and transferred to the file of the Principal Family Court, High Court Campus, Chennai. The learned Principal District Judge, Ramanathapuram is directed to send entire records to the learned Principal Family Judge, High Court Campus, 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. No costs. Consequently, connected miscellaneous petition is closed.



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T.V.THAMIL SELVI, J.

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6. However, the learned Principal Family Judge, High Court Campus, Chennai is directed to issue notice to the respondent and dispose of the case as early as possible.

15.12.2023

Index : Yes/No

Speaking order / Non speaking order

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To

1. The Principal District Court, Ramanathapuram.
2. The Principal Family Court, High Court Campus, Chennai.
3. The Section Officer,
VR-Section, High Court of Madras.

**TR CMP.No. 1039 of 2023
and
CMP.No.25215 of 2023**