



Tr.C.M.P.No.1042 of 2023 and
C.M.P.No.25254 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.11.2023

CORAM:

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

Tr.C.M.P.No. 1042 of 2023
and
C.M.P.No. 25254 of 2023

Sri Ponni

... Petitioner

Vs.

R. Ramkumar

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C., praying to transfer the H.M.O.P.No.42 of 2022 on the file of the learned Family Court at Thirupur and to transfer the same to the file of the learned Judicial Magistrate Court, Thiruchengodu in D.V.C.No.6 of 2022.

For Petitioner : Mr. R. Vivekananthan

For Respondent : Ms. R. Sarojini



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ORDER

The petitioner / wife seeks transfer of H.M.O.P.No. 42 of 2022 pending on the file of Family Court, Thirupur to the Judicial Magistrate Court, Thiruchengodu. The petitioner / wife seeks transfer of the proceedings before the Judicial Magistrate Court, Thiruchengodu on the ground that she is living at Tiruchengode and she is not able to attend the Court hearings.

2. The learned counsel for the petitioner submits that the marriage between the respondent and the petitioner was solemnized on 31.08.2020 at Tiruchengode, as per Hindu Rites and Customs. Further submitted that the petitioner had already filed D.V.C.No.6 of 2022 before the Judicial Magistrate Court, Tiruchengode under Section 12 and 37(2) of Domestic Violence Act and the same is pending. Further submitted that it is difficult to travel to attend the Court proceedings at Thirupur. Hence, she prays to



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transfer the H.M.O.P.No. 42 of 2022, to the Judicial Magistrate Court,
Thiruchengode.

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3. Considering the facts and circumstances and the reason assigned by the petitioner is justifiable, this Court is inclined to transfer the H.M.O.P.No. 42 of 2022 to the Judicial Magistrate Court, Thiruchengode.

4. In view of the above, H.M.O.P.No. 42 of 2022 is withdrawn from the file of the Family Court, Thirupur and transferred to the file of the Judicial Magistrate Court, Thiruchengode to be disposed of in accordance with law and the Family Court, Thirupur, is directed to send entire records to the Judicial Magistrate Court, Thiruchengode, 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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6. However, the Judicial Magistrate Court, Thiruchengode is directed to issue notice to the respondent and then proceed with the matter as early as possible, preferably within a period of six months from the date of this order.

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Index : Yes / No

Neutral Citation: Yes / No

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T.V.THAMILSELVI, J.

AT

To

1. The Family Court, Thirupur.
2. The Judicial Magistrate Court, Thiruchengode.

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