



TR.C.M.P.(MD) No.203 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2023

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THE HONOURABLE **MR.JUSTICE C.SARAVANAN**

TR.C.M.P.(MD) No.203 of 2023

and

C.M.P.(MD) No.4356 of 2023

Anjel

... Petitioner

Vs.

Parthiban

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 read with Section 151 of the Code of Civil Procedure, 1908, to withdraw the O.P.No.224 of 2022 on the file of the Family Court, Ariyalur filed by the respondent herein and same may be transferred to the Family Court, Trichy District.

For Petitioner : Mr.S.Veerapandi Selvaraj

For Respondent : No appearance

ORDER

Despite notice being served on the sole respondent and the name of the respondent being printed in the cause list, there is no representation on behalf of the respondent.



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2. This Transfer Civil Miscellaneous Petition has been filed to transfer O.P.No.224 of 2022 from the Family Court, Ariyalur to the Family Court, Trichy District.

3. In the affidavit filed in support of the present Transfer Civil Miscellaneous Petition, the petitioner has stated as follows:-

4. I submit that I was always ready and willing to live with my husband, but the respondent herein on the advice of his parents is not forthcoming to join in my company. I submit that even though I am living with my parents leaving the matrimonial home, my parents and well-wishers of our family tried to reunite us and also approached the respondent and his family members, but the respondent did not hear their requests and all efforts put by them went in vain. In the meantime, the respondent herein filed petition in O.P.No.224 of 2022 before the Learned Family Court, Ariyalur.

5. I submit that I am residing in my parent's home is situated at Trichy District. But O.P.No.224 of 2022 on the file of the Learned Family Court, Ariyalur was filed by my husband for which I have to travel a distance up and down of about 170 kms for each and every hearing, to instruct my advocate to proceed further. Moreover, I am not able to travel with parents. Hence in the above circumstances, it is not at all feasible and possible for me to attend the Court at Ariyalur. Moreover, the respondent is working as police at Ariyalur District and he was threatened me and my parents.

6. I respectfully submit that I am also suffering serious financial crisis. Besides it is my parents who are taking care of me and my expenses. Further the



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respondent herein is a highly influential person having money power, muscle power. Hence there is every threat that the respondent and family members may attack me at any time, when I attend the court at Ariyalur for the hearings. Hence in the above said circumstances, it is not at all feasible and possible for me to attend the court at Ariyalur. I further submit that if this transfer application is not allowed, I will be put irreparable loss and great hardship. If this application is allowed, no prejudice would be caused to the Respondent.

4. Being satisfied with the above reasons, I am inclined to allow this Transfer Civil Miscellaneous Petition. O.P.No.224 of 2022 is directed to be transferred from the Family Court, Ariyalur to the Family Court, Trichy District.

5. Accordingly, this Transfer Civil Miscellaneous Petition is allowed. No cost. Consequently, connected Miscellaneous Petition is closed.

19.06.2023

NCC : Yes / No
Internet: Yes/No
Index: Yes/ No
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To

- 1.The Family Court, Ariyalur.
- 2.The Family Court, Trichy District.



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C.SARAVANAN, J.

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