



Tr.C.M.P(MD).No.347 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.10.2023

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Tr.C.M.P (MD).No.347 of 2023

R.Priyanka : Petitioner/Respondent

Vs.

T.Navaneetha Krishnan : Respondent/ Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 r/w 151 of Civil Procedure Code, to withdraw the case in H.M.O.P.No.1456 of 2022 from the file of the Family Court, Madurai and transfer the same to the Family Court, Chennai.

For Petitioner : Mr.S.Ramasamy

For Respondent : No Appearance

ORDER

The Civil Revision Petition has been filed to seeking orders to transfer the case in H.M.O.P.No.1456 of 2022 from the file of the Family Court, Madurai to transfer the same to the Family Court, Chennai.

2. In pursuance of the directions of this Court, dated 14.08.2023, paper publication was effected. Service is held sufficient for the respondent. The respondent has not turned up. No representation for the respondent.



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3. It is evident from the records that the marriage between the petitioner and the respondent was solemnized on 20.01.2016 at Raja Muthiah Mandram, Madurai and the same was registered before the Sub Registrar, Thallakulam, Madurai on 01.12.2016.

4. The learned counsel for the petitioner would submit that there arose some misunderstanding between the parties and they are living separately. It is further evident that the respondent has then filed a petition in H.M.O.P. No.1456 of 2022, seeking divorce before the Family Court, Madurai and the same is pending. He would further submit that the petitioner due to mental agony and physical harassment of her in-laws, she had undergone major brain surgery and is being under the severe medications; that the Doctor attending her had advised not to travel long distance and that she is the permanent resident of Chennai, after separation. The learned counsel for the petitioner has also produced the discharge summary issued by the Prashanth Hospital and wherein, it is evident that the petitioner was diagnosed to have Hysterolaparoscopy Cervical encerclage and had undergone a surgery.

5. Considering the medical condition of the petitioner and also taking note of the fact that the petitioner is at Chennai, this Court is inclined to allow the petition.



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6. Accordingly, the Transfer Civil Miscellaneous Petition is allowed.

The case in H.M.O.P.No.1456 of 2022 on the file of the Family Court, Madurai, is hereby withdrawn and transferred to the file of the Family Court, Chennai. The learned Judge, Family Court Madurai, is directed to send the records relating the case in H.M.O.P.No.1456 of 2022 to the Family Court, Chennai within a period of ten days from the date of receipt of copy of this order and on receipt of the same, the learned Judge, Principal Family Court, Chennai, is directed to take the same on file and dispose of the same within a period of four months from the date of receipt of records from the Family Court, Madurai.

7. With the above observation and direction, the Transfer Civil Miscellaneous Petition is disposed of. No costs.

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NCC : Yes/No
Index : Yes/No
Internet : Yes/No
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K.MURALI SHANKAR, J.

das

To

- 1.The Judge, Family Court, Madurai.
- 2.The Judge, Family Court, Dindigul.

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