



Tr.C.M.P(MD).No.602 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.12.2023

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Tr.C.M.P (MD).No.602 of 2023
and
C.M.P.(MD)No.13270 of 2023

Tamilarasan : Petitioner

Vs.

Preethi : Respondent

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.240 of 2023 on the file of the Family Court, Karur and transfer the same to the file of the Family Court, Namakkal or any other District except Karur.

For Petitioner : Mr.J.Sulthan Basha

For Respondent : Mr.I.Vel Pradeep

ORDER

The Transfer Civil Miscellaneous Petition has been filed seeking orders to withdraw the case in H.M.O.P.No.240 of 2023 on the file of the Family Court, Karur and transfer the same to the file of the Family Court, Namakkal or any other District, except Karur.



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2. The learned counsel for the petitioner would submit that the petitioner is now working and residing in Namakkal and that the respondent by showing the residence at Karur has filed the present HMOP, seeking divorce on the ground that the marriage was not consummated. He would further submit that the petitioner apprehends life threat, if he visits Karur and that the respondent's parents have not even allowed him to see the respondent till now and that though the marriage had taken place on 15.04.2023, the above petition came to be filed within two months.

3. The learned counsel for the respondent would submit that since the petitioner has cheated the respondent, she was compelled to file the above petition for divorce on the ground that the marriage was not consummated and the allegation of the petitioner that he is having life threat at Karur, is baseless.

4. Though the petitioner has raised some allegations, he has not preferred any complaint before the police. In Paragraph No.5 of the affidavit filed in support of the petition, he has alleged that there was a life threat to the respondent at the hands of the respondent's father.



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5. Considering the above, this Court is of the clear view that the petitioner has not shown any valid reason or ground for transferring the case. Hence, this Court concludes that the Transfer Civil Miscellaneous Petition is devoid of merits and the same is liable to be dismissed.

6. In the result, the Transfer Civil Miscellaneous Petition is dismissed.
No costs. Consequently, connected Miscellaneous Petition is closed.

06.12.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
das

To

- 1.The Judge, Family Court, Karur.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J.

DAS

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