



*Tr.C.M.P(MD)No.664 of 2022*

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.04.2023**

CORAM

**THE HON'BLE MR.JUSTICE C.SARAVANAN**

**Tr.C.M.P(MD)No.664 of 2022**

**and**

**C.M.P(MD)No.10581 of 2022**

A.Maria Sufferina

... Petitioner/Respondent

Vs.

S.Praveen

... Respondent/Petitioner

**PRAYER :** Transfer Civil Miscellaneous Petition is filed under Section 24 r/w 151 of Code of Civil Procedure, to withdraw the proceedings in I.D.O.P.No.3013 of 2022 on the file of the VI Additional Family Court, Chennai and transfer the same to Family Court, Sivagangai, for adjudication.

For Petitioner : Mr.J.John

For Respondent : Mr.K.Sathish Kumar

**ORDER**

The present transfer civil miscellaneous petition has been filed to transfer I.D.O.P.No.3013 of 2022 from the VI Additional Family Court, Chennai, to the Family Court, Sivagangai.



*Tr.C.M.P(MD)No.664 of 2022*

2.The marriage between the petitioner and the respondent was solemnized on 08.12.2021. It appears that the petitioner and the respondent have started their matrimonial journey at the petitioner's house in Karaikudi Taluk, Sivagangai District. Thereafter, they have proceeded to Chennai and was living together. However, the respondent appears to have dropped the petitioner at Sivagangai Railway Station and left her. Therefore, disputes were arisen. Pursuant to which, the petitioner has filed a criminal complaint against the respondent and his family members on 28.03.2022.

3.The present petition is opposed by the learned counsel for the respondent on the ground that the father of the petitioner is very influential person and there is threat to his life and therefore, case may be transferred to Virudhunagar Court.

4.I have considered the argument advanced by the learned counsel for the petitioner and the learned counsel for the respondent.

5.In my view, there is no justification in dislocating the parties. Already a criminal complaint is pending against the respondent at the



*Tr.C.M.P(MD)No.664 of 2022*

behest of the petitioner in Sivagangai. The respondent on the other hand, filed I.D.O.P.No.3013 of 2022 before the VI Additional Family Court, Chennai. It is needless to say, the respondent is entitled to ask protection, if the petitioner and the petitioner's family members shall cause any threat to the respondent when the respondent comes to Sivagangai for attending Court proceedings in I.D.O.P.No.3013 of 2022.

6.Considering the above, this Court is inclined to allow this petition. Hence, I.D.O.P.No.3013 of 2022 is transferred from the file of VI Additional Family Court, Chennai, to Family Court, Sivagangai. The Family Court, Sivagangai, shall endeavour to complete the proceedings preferably within a period of 12 months from the date of receipt of a copy of this order.

7.Considering the fact that the respondent is working at Chennai, the physical presence of the respondent, who is the petitioner in I.D.O.P.No.3013 of 2022 shall be dispensed with for routine hearing. The respondent shall however appear before the The Family Court, Sivagangai, as and when the Court directs the respondent to appear before the Court.



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*Tr.C.M.P(MD)No.664 of 2022*

**C.SARAVANAN ,J.**

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8.With the above observation, this Transfer Civil Miscellaneous Petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

**13.04.2023**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No  
dss

To

- 1.The VI Additional Family Court, Chennai.
- 2.The Family Court, Sivagangai.

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