



Tr.C.M.P(MD)No.705 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.02.2023**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Tr.C.M.P(MD)No.705 of 2022

and

C.M.P(MD)No.11241 of 2022

A.Benziya Mary

... Petitioner/Respondent-wife

Vs.

B.Arun

... Respondent/Petitioner-husband

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 r/w 151 of the Code of Civil Procedure, to withdraw the case in I.D.O.P.No.3721 of 2022 pending on the file of the I Additional Family court, Chennai and transfer the same to the file of Family Court, Thoothukudi.

For Petitioner : Mr.D.Srinivasaragavan

For Respondent : Mr.K.Rajeswaran

ORDER

The present transfer civil miscellaneous Petition has been filed by the wife seeking to transfer I.D.O.P.No.3721 of 2022 pending on the file of the I Additional Family Court, Chennai, to be transferred to Family Court, Thoothukudi.



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2. According to the learned counsel appearing for the petitioner/wife, the petitioner is residing with her parents at Puliampatti near Thoothukudi and she finds it difficult to travel Chennai for attending every hearing before the I Additional Family Court.

3. Per contra, the learned counsel appearing for the respondent/husband submitted that there is a threat for him, when he entered in to Thoothukudi District.

4. Considering the facts and circumstances, the respondent/husband is a Grade-II Police Constable, his allegation seems to be unfounded. Incase, if any incident takes place, it is for him to lodge a complaint either before the Judicial Officer or concerned Police Station.

5. In view of the aforesaid facts, I.D.O.P.No.3721 of 2022 pending on the file of the I Additional Family Court, Chennai, is hereby withdrawn and transferred to the District Court, Thoothukudi.



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6. With the above observation, the Transfer Civil Miscellaneous

Petition is allowed to the extent as stated above. No costs.

Consequently, connected Miscellaneous Petition is closed.

21.02.2023

NCC : Yes / No

Index : Yes / No

Rmk

To

1.The Judge (I Additional Family Court), Chennai.

2.The District Judge, Thoothukudi.



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R.VIJAYAKUMAR ,J.

Rmk

Order made in
Tr.C.M.P(MD)No.705 of 2022

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