



Tr.C.M.P.No.14 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2024

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Tr.C.M.P.No.14 of 2024 and
C.M.P.No.454 of 2024

L.Saranya

... Petitioner

Vs.

Manikandan

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, to withdraw the proceedings in H.M.O.P.No.80 of 2023 pending on the file of the Principal Sub Court, Virudhachalam and transfer it to the Family Court, Chennai.

For Petitioner : Mr.Abhinav Parthasarathy
For Respondent : Mr.T.S.N.Prabhakaran

ORDER

The petitioner filed this transfer petition seeking transfer of H.M.O.P.No.80 of 2023 filed by her estranged husband/respondent from the file of the Principal Subordinate Court, Virudhachalam to the file of the Family Court at Chennai.



2.The learned counsel for the petitioner submitted that marriage between petitioner and respondent solemnized on 06.06.2018 at Vadapalani Murugam Temple. Right from the marriage, the respondent and his family members without any reason started to abuse and harass the petitioner despite the petitioner acted as dutiful wife and also forced the petitioner to bring dowry from her parents. Unable to bear any further, the respondent forcibly chased out the petitioner from matrimonial home to her parents home and filed petition for divorce in H.M.O.P.No.80 of 2023 on the ground of cruelty. He further submitted that now the petitioner is working in Chennai and taking care of her aged parents. Despite knowing about the same, the respondent filed the divorce petition in Virudhachalam Court. Hence, prays for transfer.

3.The learned counsel for the respondents submitted that he has no objection for transferring the proceedings in H.M.O.P.No.80 of 2023 to the file of the Family Court at Chennai.



Tr.C.M.P.No.14 of 2024

4.Considering the submissions and on perusal of the materials, it is seen that the petitioner is working in Chennai and taking care of her aged parents, at this stage, she could not travel all the way from Chennai to Virudhachalam to attend Court proceedings which is around 220 kms. Added to it, the respondent has no objection for transfer the case to the Family Court at Chennai.

5.In view of the above, this Court withdraws H.M.O.P.No.80 of 2023 from the file of the Principal Subordinate Court, Virudhachalam and transfers the same to the file of the Family Court at Chennai. On receipt of entire case bundles, the Family Court at Chennai to conduct trial and dispose of H.M.O.P.No.80 of 2024 within a period of six months from the date of receipt of a copy of this order. Accordingly, this transfer civil miscellaneous petition is allowed. Consequently, connected civil miscellaneous petition is closed. No costs.

16.07.2024

Speaking Order/Non Speaking Order

Index : Yes/No

Internet : Yes

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Tr.C.M.P.No.14 of 2024

M.NIRMAL KUMAR, J.

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To

- 1.The Family Court at Chennai.
- 2.The Principal Subordinate Judge,
Virudhachalam.

Tr.C.M.P.No.14 of 2024

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