



Tr.C.M.P.No.252 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2024

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Tr.C.M.P.No.252 of 2024 and
C.M.P.No.5395 of 2024

A.Kalaiselvi

... Petitioner

Vs.

1.R.Sathishkumar

2.S.Pradeepkumar

... Respondents

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, to withdraw of H.M.O.P.No.1 of 2024 on the file of the Sub Court, Madhuranthagam and transfer the same to the Family Court at Chennai.

For Petitioner : Mr.P.Anbazhagan
For Respondents : Mr.R.Karthik

ORDER

The petitioner filed this transfer petition seeking transfer of H.M.O.P.No.1 of 2024 filed by her estranged husband/1st respondent from the file of the Subordinate Court, Madhuranthakam to the file of the Family Court at Chennai.



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2.The learned counsel for the petitioner submitted that marriage between petitioner and 1st respondent solemnized on 11.02.2022 at Sree Saraswathy Mahal, Chengalpet and out of their wedlock, the petitioner is now pregnant of four months. After the marriage, both petitioner and the 1st respondent lead happy marital life for one year and nine months, at that time, the petitioner was pregnant two times and the same aborted. Thereafter, the 1st respondent 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. In the month of November 2023, the 1st respondent forcibly chased out the petitioner from matrimonial home to her parents home and filed petition for divorce in H.M.O.P.No.1 of 2024. He further submitted that since the petitioner is four month pregnant, she is unable to travel Chennai to Madhuranthakam to attend the Court proceedings. 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.1 of 2024 to the file of the Family Court at Chennai.



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4.Considering the submissions and on perusal of the materials, it is seen that the petitioner is now four months pregnant, at this stage, she could not travel from Chennai to Madhuranthakam to attend Court proceedings. Added to it, the respondents have 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.1 of 2024 from the file of the Subordinate Court, Madhuranthakam and transfers the same to the file of the Family Court at Chennai. Accordingly, this transfer civil miscellaneous petition is allowed. Consequently, connected civil miscellaneous petition is closed. No costs.

08.07.2024

Speaking Order/Non Speaking Order

Index : Yes/No

Internet : Yes

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To

1.The Family Court at Chennai.

2.The Subordinate Judge,
Madhuranthakam.

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