



TR.C.M.P.No.481 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2024

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

TR.C.M.P.No.481 of 2024

and

C.M.P.No.9978 of 2024

Geethanjali

... Petitioner

Vs.

Arvenkumar

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition has been filed under Section 24 of the Code of Civil Procedure, praying to withdraw and transfer the H.M.O.P.No.88 of 2023 on the file of Hon'ble Principal Sub Court, Chengalpattu to the Family Court at Dharmapuri.

For Petitioner : Mr.K.Selvarangan

For Respondent : No appearance



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ORDER

The petitioner/estranged wife of the respondent has filed this transfer civil miscellaneous petition seeking to withdraw and transfer the H.M.O.P.No.88 of 2023 from the file of the Principal Sub Court, Chengalpattu to the file of the Family Court, Dharmapuri.

2. The respondent herein is the husband and the petitioner is his wife. The case of the petitioner is that the respondent has filed the divorce petition in H.M.O.P.No.88 of 2023 on the file of the Principal Sub Court, Chengalpattu, seeking nullity of marriage, on the ground that the marriage was performed without the respondent's consent, by force and threat. The said marriage was solemnized on 07.06.2023. At that time, the respondent joined as Assistant Manager in a Kone Elevator India Private Limited, Chennai and the petitioner also working in the same company as a Trainee Engineer. The petitioner gave a complaint on 14.12.2022 against the



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respondent, stating that she was harassed in the work place and a case was registered against the respondent, due to which, they got married. Thereafter, the respondent filed the said H.M.O.P.No.88 of 2023, for divorce.

3. The learned counsel for the petitioner submitted that the respondent is a B.E.(Mechanical) graduate and also studied law. Now, the respondent is working in a private company at Hosur and there is no difficulty for him to attend the Family Court at Dharmapuri. On the other hand, the petitioner is residing at Dharmapuri along with her aged and ailing father and hence, it would be difficult for her to travel to Dharmapuri to Chengalpattu, to attend the proceedings in H.M.O.P.No.88 of 2023. The petitioner is single she cannot travel such long distance without any help and aid, further she apprehends safety for her life.

4. Despite service of notice on the respondent and his name having been printed in the cause list, there is no representation on behalf of him.



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5. Considering the submissions made and on perusal of the materials, it is seen that the petitioner is willing for transfer and speedy disposal of H.M.O.P.No.88 of 2023 pending on the file of the Principal Sub Court, Chengalpattu. In view of the same, this Court is inclined to withdraw and transfer the case in H.M.O.P.No.88 of 2023 to the Family Court, Dharmapuri.

6. Accordingly, this Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.88 of 2023, pending on the file of the Principal Sub Court, Chengalpattu, shall stand withdrawn and transferred to the file of the Family Court, Dharmapuri. No costs. Consequently, connected miscellaneous petition is closed.

03.07.2024

Index : Yes/No

Internet : Yes/No

Speaking order/Non speaking order

Neutral Citation : Yes/No

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To

1. The Principal Sub Court,
Chengalpattu.
2. The Family Court,
Dharmapuri.



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M.NIRMAL KUMAR, J.

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