



TR.C.M.P.No.526 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.07.2024

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

TR.C.M.P.No.526 of 2024

and

C.M.P.No.11877 of 2024

S.Nagamal

... Petitioner

Vs.

Saravanan

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., praying to withdraw the case in F.C.O.P.No.04 of 2024 on the file of the Family Court, Namakkal and transfer the same to the file of Family Court, Perambalur for adjudication.

For Petitioner : Mr.D.Arun

For Respondent : No appearance

ORDER

The petitioner, who is the respondent in F.C.O.P.No.4 of 2024, has filed this petition seeking transfer of F.C.O.P.No.4 of 2024 from the file of Family Court, Namakkal to the file of Family Court, Perambalur.



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2. Notice sent to the respondent has been served on 20.06.2024 and his name is also printed in the cause-list. Despite the same, there is no representation for the respondent either in person or through his counsel.

3. The contention of the learned counsel for petitioner is that the marriage between the petitioner and respondent took place on 23.06.2005 at Siruvachur, Perambalur District. They have blessed with male child, who is studying 1st year Bachelor of Civil Engineering and one female child studying 9th standard at Perambalur. The respondent a daily wager, not going for work regularly, keeps roaming in and around of Perambalur without any work. In the F.C.O.P.No.4 of 2024, the respondent projected as though the marriage held at Sendhamangalam Taluk, Namakkal District. The petitioner never went to the respondent's house at Namakkal, moreover, no marriage was held there. On the contrary, he gives false address and place of marriage. The petitioner already subjected to mental agony and harassment by the respondent. The petitioner is doing small works and with the help of her family members, she is able to



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sustain herself, provide education to the children on the other hand, the respondent has not discharged any of his obligation as father to the children and husband to the petitioner. The F.C.O.P. has been filed just to cause harassment to the petitioner. Further, the petitioner has to travel more than 188 kilometers from Perambalur to Namakkal to attend the Family Court. Further, the petitioner has to lose her day salary on the date she is attending the Court. In view of the same, this Court is inclined to withdraw and transfer the case in F.C.O.P.No.04 of 2024 to the Family Court, Perambalur.

4.Accordingly, this Transfer Civil Miscellaneous Petition is allowed and F.C.O.P.No.04 of 2024, pending on the file of Family Court, Namakkal shall stand withdrawn and transferred to the file of Family Court, Perambalur. No costs. Consequently, connected miscellaneous petition is closed.

11.07.2024

Index : Yes/No

Speaking order/Non speaking order

Neutral Citation : Yes/No

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M.NIRMAL KUMAR, J.

rsi

To

1.The Family Court Judge,
Namakkal.

2.The Family Court Judge,
Perambalur.

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and

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