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TR.C.M.P.No.489 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2024

CORAM:

THE HONOURBLE MR. JUSTICE M. NIRMAL KUMAR

TR.C.M.P.No.489 of 2024
and C.M.P.No.10017 of 2024

K. Bhavani

... Petitioner

Vs.

M. Victor

... Respondent

PRAYER: The Transfer Civil Miscellaneous Petition has been filed under Section 24 of the Code of Civil Procedure, to withdraw and transfer I.D.O.P.No.81 of 2024 pending before the Family Court at Dindigul and transfer the same to the Family Court, Chennai.

For Petitioner : Mr.R.Nandakumar

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 transfer I.D.O.P.No.81 of 2024 pending on the file of the Family Court, Dindigul to the Family Court, Chennai.

2. The learned counsel for the petitioner submits that the marriage between the petitioner and the respondent was solemnized on 04.06.2017 as per the Christian Rites and Customs. After the marriage, the respondent and his family members ill-treated and harassed the petitioner in an unbearable manner. Finally, she was forced and chased out of the matrimonial home in the month of August 2023 by them. All the gold jewellerys and household articles are under the custody of the respondent and his family members.

Suppressing all the facts, the respondent has filed a petition under Section



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10(1) (X) of The Divorce Act in I.D.O.P.No.81 of 2024 before the Family
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Court, Dindigul seeking for divorce.

3. The learned counsel for the petitioner submits that the petitioner is not residing at her matrimonial home and the mother of the petitioner died on 07.06.2023, now, she take of her father, who is aged more than 70 years. It is very difficult to appear before the Family Court at Dindigul by travelling more than 450 Km every hearing without any financial source and support. Hence, the petitioner seeks to transfer of I.D.O.P.No.81 of 2024 pending on the file of the Family Court, Dindigul to the Family Court, Chennai.

4. Notice to the respondent caused and service completed, but, no representation for the respondent. Though the name of the respondent is printed in the cause list, none appeared. In view of the above, it is taken respondent has no serious objection in considering the above petition. Hence,



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this Court heard the petitioner and perused the typed set of papers produced by her.

4. Considering the facts and circumstances of the case, this Court is inclined to transfer I.D.O.P.No.81 of 2024 pending on the file of the Family Court, Dindigul, to the Family Court, Chennai. Accordingly, this Transfer Civil Miscellaneous Petition is allowed and I.D.O.P.No.81 of 2024 is withdrawn from the the file of the Family Court, Dindigul, and transferred to the Family Court, Chennai. No costs. Consequently, the connected Miscellaneous Petition is closed.

09.07.2024

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To

- 1.The Family Court at Dindigul.
2. The Judge, Family Court, Chennai.



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M. NIRMAL KUMAR, J.

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