



Tr.CMP.No.540 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2024

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Tr.CMP.No.540 of 2024

and

C.M.P.Nos.11989 & 11992 of 2024

Gayathri

... Petitioner

Vs.

Subramanian

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code to withdraw H.M.O.P.No.515 of 2024 on the file of the Family Court, Madurai and transfer the same to the file of the Family Court at Pondicherry.

For Petitioner : Mr.E.V.Chandru @ E.Chandrasekaran

For Respondent : Mr.C.Prabakaran



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ORDER

The petitioner, respondent in H.M.O.P.No.515 of 2024 on the file of the Family Court, Madurai filed this petition seeking transfer of the case from the file of the Family Court, Madurai to the file of the Family Court, Pondicherry.

2.The learned counsel for the petitioner submitted that marriage between the petitioner and the respondent was solemnized on 23.11.2023 at MRP Marriage Hall, Jawahar 2nd Street, Kalavasal Bypass road, Madurai according to Hindu rites and customs. The entire marriage expense was borne by the petitioner's father. During the marriage, 60 sovereigns of gold jewels along with silver and other household articles were presented as sridhana. Right from the date of marriage, the respondent and his family members without any reason started to abuse and harass the petitioner despite the petitioner acted as dutiful wife. Finally, the respondent and his family members chased away the petitioner from matrimonial home. The petitioner is now living with her aged parents, with their support. Though



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several attempts were made by the petitioner and her family members for reconciliation, the respondent not willing to cohabitate with the petitioner.

The respondent filed a divorce petition in H.M.O.P.No.515 of 2024 before the Family Court, Madurai. The petitioner has to travel around 800 kms in both directions to appear before the Family Court, Madurai and since she had aged parents, it is difficult for her to travel alone. Hence, she prays for transfer of H.M.O.P.No.515 of 2024 from the file of the Family Court, Madurai to the file of the Family Court at Pondicherry

3.The learned counsel for the respondent submitted that he has no objection for transferring the proceedings in H.M.O.P.No.515 of 2024 to the file of the Family Court at Pondicherry.

4.Considering the submissions made and on perusal of the materials, it is seen that with great difficulty, the petitioner has to travel all the way from Pondicherry to Madurai to attend the Court proceedings. Added to it, the petitioner's parents are aged having health ailments, at this stage, she could not travel from Pondicherry to Madurai to attend the Court



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proceedings. Further, the respondent has no objection for transfer the divorce proceedings to the Family Court at Pondicherry. In view of the same, this Court withdraws H.M.O.P.No.515 of 2024 from the file of the Family Court, Madurai and transfer the same to the file of the Family Court at Pondicherry.

5.At this juncture, the learned counsel for the petitioner and the respondent submits that dehors the transfer of case, both the petitioner and the respondent are willing for Mediation. Hence, the Family Court, Pondicherry is directed to take appropriate steps in this regard.

6.Accordingly, the Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected Civil Miscellaneous Petitions are closed.

31.07.2024

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To

1.The Family Court,
Madurai.

2.The Family Court,
Pondicherry.



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M.NIRMAL KUMAR, J.

cse

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