



Tr.C.M.P.No.604 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2024

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Tr.C.M.P.No.604 of 2024 and
C.M.P.No.12997 of 2024

G.Namagiri Lakshmi

... Petitioner

Vs.

V.Gowtham Guptha

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, to withdraw and transfer the HMOP No.491/2024 on the file of Family Court, Coimbatore to the file of the Sub Court, Pappireddypatti, Dharmapuri District.

For Petitioner : Mr.K.Prasanna

For Respondent : Mr.V.Kadhirvelu

ORDER

The petitioner filed this transfer petition seeking transfer of HMOP.No.491 of 2024 filed by her estranged husband/respondent from the



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file of the Family Court, Coimbatore to the file of the Sub Court,
Pappireddypatti, Dharmapuri District.

2.The learned counsel for the petitioner submitted that marriage between petitioner and respondent solemnized on 18.01.2023. It is an arranged marriage and after few days from the marriage, the respondent and his family members started to ill-treat the petitioner. The main contention raised by the respondent in H.M.O.P.No.491 of 2024 is that the marriage has not been consummated between the petitioner and the respondent.

3.he learned counsel would further submit that the petitioner, after the matrimonial discord is living with her parents at Dharmapuri. Presently she is at the guidance and support of her parents. In such circumstances, forcing her to travel Coimbatore to attend the Court is an arduous task. Added to it, the petitioner is a housewife without earnings. With the support of her parents, she sustaining herself. She is facing very difficulty in attending the Court in Coimbatore.



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4.The learned counsel for the respondent submits that his only apprehension is that the petitioner with the aid of muscle men may cause harm to him, if he attends the Court proceedings at Dharmapuri. Therefore, he seeks to transfer the H.M.O.P to any Court at Salem.

5.The learned counsel for the petitioner agreed to transfer the H.M.O.P.No.491 of 2024 to the Family Court, Salem.

6.In view of the above, this Court withdraws HMOP.No.491 of 2024 from the file of the Family Court, Coimbatore and transfers the same to the file of the Family Court at Salem.

7.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 learned Judge, Family Court, Salem, is directed to take appropriate steps in this regard.

8.Accordingly, this transfer civil miscellaneous petition is allowed. Consequently, connected civil miscellaneous petition is closed. No costs.



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Speaking Order/Non Speaking Order

Index : Yes/No

Internet : Yes/No

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To

1.The Judge

Family Court, Coimbatore.

2.The Judge

Family Court, Salem.

M.NIRMAL KUMAR, J.



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