



Tr CMP.No.1082 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.10.2024

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THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr CMP.No.1082 of 2024 &
CMP.No.23839 of 2024

1.T.Senthilkumar
2.T.Chandra : Petitioners

versus

1.Jayasree
2.Thangavelu : Respondents

Prayer: Petition filed under Section 24 of the Code of Civil Procedure to withdraw the case in DVC.No.3 of 2024 on the file of learned Judicial Magistrate II Karaikal and transfer the same to the learned Judicial Magistrate Court No.I, Ponnammallee, Tiruvallur District.

For Petitioner : Ms.Hemalatha

For Respondent : Mr.S.Santhosh Kumar



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ORDER

This transfer petition is at the instance of the husband. He seeks to transfer DVC.No.3 of 2021 pending on the file of the learned Judicial Magistrate – II, Karaikal to the file of the learned Judicial Magistrate - 1 at Poonamallee.

2. There is no dispute in the relationship between the parties. The petitioners are the husband and the mother-in-law of the first respondent. The marriage of the first petitioner and the first respondent was solemnised on 08.04.2009 at Thiruthuraipoondi. From the wedlock, a girl child was born. The petitioner/husband pleads that he is working as an Assistant Professor in a Medical College at Poonamalle. He points out that due to disputes and differences, the parties separated and the wife has initiated DVC.No.3 of 2024 on the file of the Judicial Magistrate at Karaikal. Pleading that he is unable to travel from Chennai to Karaikal on a regular basis, the husband has come forward with this transfer petition.

3. When the matter came up for admission, Ms.Hemalatha representing Mr.M.Vijayaraghavan reported that the wife has vacated her



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premises at Karaikal and shifted her residence to Guduvancherry. Hence, on this ground, I issued notice to the respondent.

4. Mr.S.Santhosh Kumar has entered appearance for the respondent/wife. To a point query from the court whether the wife has vacated from Karaikal and shifted her residence to Guduvancherry, Mr.Santhosh Kumar answered in the affirmative.

5. It will be difficult for the wife to travel from Guduvancherry to Karaikal for the purpose of prosecuting the petition initiated by her. The court nearer to Guduvancherry is situated in Tambaram. Since the wife is a resident of Guduvancherry, a suburban hub of Chennai, taking into consideration her convenience, I am inclined to accept this transfer. Accordingly, **this petition stands allowed.** DVC.No.3 of 2024 pending on the file of the learned Judicial Magistrate II Karaikal is withdrawn and transferred to the file of the learned Judicial Magistrate at Tambaram, who has been empowered to deal with the Domestic Violence Case. No costs. Consequently, the connected miscellaneous petition is closed.

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Index : Yes/No

Speaking Order/Non speaking order

Neutral Citation : Yes/No

To

1.The Judicial Magistrate II Karaikal

2.The Judicial Magistrate at Tambaram



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V.LAKSHMINARAYANAN, J.

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