



Tr.CMP.No.81 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2024

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Tr.CMP.No.81 of 2024

and

C.M.P.No.2011 of 2024

N.Dhivya

... Petitioner

Vs.

M.Arun Karthick

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code to withdraw the petition in H.M.O.P.No.161 of 2023 from the file of the Family Court, Trichy and transfer the same to the Family Court, Chennai.

For Petitioner : Mr.A.Muthuprakash

For Respondent : No appearance



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ORDER

The petitioner, respondent in H.M.O.P.No.161 of 2023 on the file of the Family Court, Tiruchirappalli filed this petition seeking transfer of the case from the file of the Family Court, Tiruchirappalli to the file of the Family Court, Chennai.

2.Despite service of notice and name printed in the cause list, no representation for the respondent either in person or by any counsel.

3.The contention of the learned counsel for the petitioner is that the marriage between the petitioner and the respondent took place on 04.09.2016 in the precincts of Arulmigu Subramaniaswamy Temple, Kumara Vayalur, Tiruchirappalli. After the marriage, reception was conducted in Tiruchirappalli on the same day. Both the petitioner and the respondent are B.Tech graduates. After the marriage, the respondent got employment in a private concern at Chennai and they were living happily in Chennai. Out of their wedlock, a male child was born to them on



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01.08.2021. The petitioner got employed as Assistant Inspector in Local Audit Department. The petitioner due to her health condition was advised rest. On the other hand, the respondent forced her for physical work. Further, since the petitioner got employment in Government Department the respondent started harassing her. Unable to withstand the harassment, finally on 02.02.2023 the petitioner was forced out of the matrimonial home. He would submit that just to cause harassment to the petitioner, the respondent filed the divorce petition before the Family Court, Tiruchirappalli. The petitioner is now residing at Chennai along with her child. Hence, he prays for transfer of case.

4.Considering the submissions made and on perusal of the materials, it is seen that the petitioner herein who is a single lady residing at Chennai along with her child. The petitioner has to necessarily travel around 350 kms to attend the hearing before the Family Court, Tiruchirappalli. In view of the same, this Court withdraws H.M.O.P.No.161 of 2023 from the file of the Family Court, Tiruchirappalli and transfer the same to the file of the Family Court, Chennai.



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5.Accordingly, the Transfer Civil Miscellaneous Petition is allowed.

No costs. Consequently, connected Civil Miscellaneous Petition is closed.

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cse

To

- 1.The Family Court,
Tiruchirappalli.
- 2.The Family Court,
Chennai.



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M.NIRMAL KUMAR, J.

cse

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