



TR.C.M.P(MD).No.23 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.02.2024

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

TR.C.M.P(MD)No. 23 of 2024

and

C.M.P(MD)No.262 of 2024

Gowri @ Angulakshmi

... Petitioner

Vs

Rajasudhan

... Respondent

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw the H.M.O.P.No.361 of 2023 on the file of the Family Court, Thanjavur and transfer the same to the file of the Family Court, Trichy.

For Petitioner : Mr.T.Leninkumar

For Respondent : No appearance



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ORDER

This Transfer Civil Miscellaneous Petition is filed to withdraw the H.M.O.P.No.361 of 2023 on the file of the Family Court, Thanjavur and transfer the same to the file of the Family Court, Trichy.

2. The case of the prosecution is that the marriage between the petitioner and the respondent was solemnized on 31.03.2019 at Thanjavur. At the time of marriage, the petitioner's parents were presented 18 sovereigns of gold jewels and household articles. According to the petitioner, from the date of marriage, the petitioner was put to harassment by her husband / respondent herein, for want of additional dowry. The respondent is having drinking habit. Under the influence of alcohol, he used to abuse the respondent. A male child was born to them on 13.05.2020. The petitioner was sent to her parents' home. Even after delivery of the child, the respondent has not come forward to see the petitioner and their child. Hence, the petitioner filed M.C.No.32 of 2023 before the Family Court, Trichy and the respondent has filed H.M.O.P.No.361 of 2023 before the Family Court, Thanjavur.



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Now the petitioner is living with her parents at Trichy. Since the petitioner is not a earning member, she has to take care of her child and since she is a dependant of her parents, she finds it very difficult to attend the Court proceedings at Thanjavur, along with her child and to travel from Trichy to Thanjavur. Hence, this Transfer Civil Miscellaneous Petition came to be filed seeking transfer of the proceedings in H.M.O.P.No.361 of 2023 on the file of the Family Court, Thanjavur, to the Family Court, Trichy, to be tried along with the proceedings pending in M.C.No.32 of 2023 before the Family Court, Trichy.

3. There is no appearance on behalf of the respondent.

4. In view of the submissions, this Transfer Civil Miscellaneous Petition is allowed. There shall be a direction to the learned Judge, Family Court, Thanjavur, to transfer the entire records in the proceedings in H.M.O.P.No.361 of 2023 immediately to the file of the Family Court, Trichy. After receiving the records, the learned Judge, Family Court, Trichy may assign new number and conduct joint trial of this case along



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with the M.C.No.32 of 2023 pending on his file, after issuing notice to parties for appearance and dispose the case in accordance with law.

Consequently, connected miscellaneous petition is closed. No costs.

19.02.2024

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

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To

1. The Judge, Family Court, Thanjavur.
2. The Judge, Family Court, Trichy.



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G.ILANGOVA, J.

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ORDER
IN
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and
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