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Tr.CMP.No.48 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.03.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

Tr.CMP.No.48 of 2025
and CMP.No.1021 of 2025

Gayathri

... Petitioner

Vs.

Kalai @ Murugesan

... Respondent

Prayer : Transfer Petition filed under Section 24 of CPC praying to withdraw and transfer the hearing of FHMOP.No.9 of 2024 before the Family Court, Mannarjudi to Family Court at Thanjavur.

For Petitioner : Mr.V.Gunasekar

For Respondent : Private Notice served
[No appearance]

ORDER

The petitioner-wife has filed the present transfer petition seeking to withdraw FHMOP.No.9/2024 filed by the respondent-husband before the Family Court, Mannarkudi and transfer the same to Family Court at



Thanjavur.

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2. Heard the learned counsel for the petitioner. The respondent though has been served through private notice, has not chosen to enter appearance either in person or through counsel.

3. The petitioner-wife has filed the Domestic Violence case before the Judicial Magistrate Court, Thiruvaiyaru in DVC.No.9 of 2023, and as a counter blast, the respondent-husband has filed FHMOP.No.9 of 2024 for divorce before the Family Court, Mannarkudi. According to the petitioner, she is not receiving any maintenance from the respondent-husband, and she is under the care and custody of her parents. The petitioner would further submit that while she was at her matrimonial home, she had been subjected to physical abuse and if she is once again made to go to Mannarkudi, her life would be at a risk. It is also her contention that since the proceedings are pending before Family Court, her presence is necessary for every hearing and therefore, for every hearing she was made to travel 120 kms from her residence at Thanjavur. Hence, the present transfer petition is filed.



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4. Considering the above reasons stated by the petitioner, it is a fit case where transfer can be granted. Therefore, the present Transfer CMP is allowed and FHMOP No.9/2024 pending on the file of Family Court, Mannarkudi, is withdrawn and transferred to Family Court, Thanjavur. No costs. Consequently, connected miscellaneous petition is closed.

28.03.2025

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes / No
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To:

- 1.The Judge
Family Court, Mannarkudi
- 2.The Judge
Family Court, Thanjavur.
- 3.The Section Officer
VR Section, High Court, Madras.



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P.T. ASHA, J.

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