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Tr.CMP.No.146 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.04.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

Tr.CMP.No.146 of 2025
and CMP.No.2851 of 2025

Jenifer

... Petitioner

Vs.

Ilayaraja

... Respondent

Prayer: Transfer Petition filed under Sec.24 of CPC praying to withdraw and transfer the O.P.No.326 of 2020 pending on the file of Family Court, theni to the IV Family Court, Chennai.

For Petitioner : Mrs.Gajalakshmi Rajendran

For Respondent : Ms.C.Vijayalakshmi

ORDER

The petitioner-wife has filed the present transfer petition seeking to withdraw O.P.No.326/2024 filed by her before the Family Court, Theni and transfer the same to IV Family Court, Chennai.



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2. The petitioner would submit that her parental home is Theni, and her matrimonial home is at Chennai. Due to the cruelty meted out by her at the hands of the respondent-husband, she left her matrimonial home and stayed with her parents at Theni. She filed a petition for divorce in O.P.No.326/2024 before Family Court, Theni. After her father's demise, she got a government job on compassionate ground and presently working as a Revenue Assistant in Commissionerate of Revenue Administration, Chepauk, Chennai. The respondent-husband is not paying maintenance to her. Her minor children are now under the custody of the respondent-husband. The petitioner now finds it difficult to travel from Chennai to Theni which is nearly 505 kms., to attend every Court hearings. Hence, she seeks transfer of divorce petition filed by her to the Family Court at Chennai.

3. Heard the learned counsel on either side. The learned counsel for the petitioner would submit that the petitioner-wife has filed O.P.No.433 of 2025 before the VI Additional Family Court, Chennai and the same is pending. Hence, she seeks transfer of O.P.No.326/2024, which was filed by her before Family Court, Theni, to Family Court at Chennai.



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4. The learned counsel for the respondent also made a statement that the matter may be referred to the Mediation Centre attached to this Court.

5. Taking into account that the petitioner has been presently employed in Chennai, and also considering her convenience, the present transfer petition is allowed. The HMOP No.326 of 2024 pending on the file of Family Court, Theni, is withdrawn and transferred to VI Additional Family Court, Chennai, to be tried along with O.P.No.433 of 2025. It is needless to state that the learned Judge, VI Additional Family Court, Chennai, with the consent of both the parties, shall refer the matter to mediation. No costs. Consequently, connected miscellaneous petition is closed.

24.04.2025

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

- 1.The Judge, Family Court, Theni.
- 2.The VI Additional Judge, Family Court, Chennai.
- 3.The Section Officer
VR Section, High Court, Madras.



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P.T. ASHA, J.

ds

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