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Tr.CMP.No.269 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.04.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

Tr.CMP.No.269 of 2025
and CMP.No.5188 of 2025

Santhosh Kumar

... Petitioner

Vs.

Krishnaveni

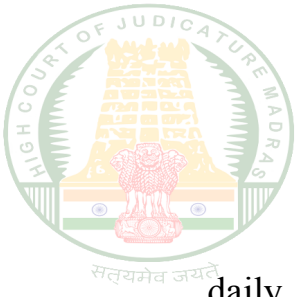
... Respondent

Prayer: Transfer Petition filed under Sec.24 of CPC praying to withdraw the petition H.M.O.P.No.271 of 2024 on the file of Family Court, Cuddalore and transfer the same to the Family Court, Pondicherry, by appreciating the facts and circumstances of the case.

For Petitioner : Mr.S.Balaji

ORDER

The petitioner who is the husband, has sought for transfer of divorce petition filed by him in H.M.O.P.No.271/2024 on the file of Family Court, Cuddalore to the file of Family Court at Pondicherry.



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2. The case of the petitioner is that since he had to face hardships on daily basis for various reasons from the respondent-wife, he decided to break the marriage life, and filed a petition for divorce. On coming to know above this, the respondent's father and brother had assaulted the petitioner in a broad daylight and caused serious injuries to him. It is submitted that every time when the matter is listed at Family Court, Cuddalore, the respondent-wife is accompanied by her father and brother. The respondent's father is a highly influential and politically stronger person in that locality. The petitioner would submit that fearing for his safety and life at Cuddalore, he seeks transfer of court proceedings to a place which is convenient to both of them. Since the work place of the petitioner is at Tindavanam, he seeks transfer of HMOP proceedings to the Family Court at Pondicherry, which according to him, would be convenient to both of them.

3. Heard the learned counsel for the petitioner. Admittedly, the marriage took place at Panruti and both the petitioner and respondent lastly resided together as husband and wife within the jurisdiction of Cuddalore. Accordingly, the Family Court at Pondicherry has no jurisdiction and that apart it would be difficult for the respondent-wife to travel to Pondicherry



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from Cuddalore. Therefore, the request of the petitioner seeking transfer of HMOP proceedings to Family Court at Pondicherry is turned down.

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4. The Transfer CMP is dismissed accordingly. However taking note of the fact that the petitioner is now working at Tindivanam, the presence of petitioner before the Family Court, Cuddalore is dispensed with for all hearings, except for giving evidence. For non-essential and procedural hearings, the parties may be represented through their counsel. No costs. Consequently, connected miscellaneous petition is closed.

25.04.2025

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

- 1.The Judge, Family Court, Cuddalore.
- 2.The Judge, Family Court, Pondicherry
- 3.The Section Officer
VR Section, High Court, Madras.



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P.T. ASHA, J.

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