



Tr.CMP.No.537 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2024

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Tr.CMP.No.537 of 2024
and C.M.P.No.11977 of 2024

V.Rohini

... Petitioner

Vs.

J.Govindaraj

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code to withdraw the case in H.M.O.P.No.5516 of 2023 from the file of the Principal Family Court, Chennai and transfer the same to the file of the Family Court, Tiruvannamalai.

For Petitioner : Mr.E.Sathiyaraj
For Respondent : Mr.V.Achuthanandan

ORDER

The petitioner, respondent in H.M.O.P.No.5516 of 2023 on the file of the Principal Family Court, Chennai filed this petition seeking transfer of the case from the file of the Principal Family Court, Chennai to the file of the



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Family Court, Tiruvannamalai.

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2.The learned counsel for the petitioner submitted that marriage between the petitioner and the respondent was solemnized on 03.11.2019 at Arulmigu Arunahaleswarar Unnamalai Amman Temple, Tiruvannamalai as per Hindu rites and customs. During marriage, customary sridhana articles were presented as gift. Since the petitioner's parents were not alive, her grandmother fulfilled the entire dowry demand made by the respondent and his family members. After marriage, the respondent not shown any interest in the marital life and thereafter, the petitioner came to know that the respondent was already married and his first wife died during pregnancy. Right from the marriage, the respondent and his family members abused the petitioner without any reason and harassed her despite the petitioner acted as dutiful wife. Finally, the respondent and his family members chased away the petitioner from matrimonial home. The petitioner is now living with her aged grandmother. The respondent filed a divorce petition in H.M.O.P.No.5516 of 2023 before the Principal Family Court, Chennai. The petitioner has to travel around 200 kms to appear before the Principal Family Court, Chennai and since she had aged grandmother, it is difficult for her to



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travel alone. Hence, she prays for transfer of H.M.O.P.No.5516 of 2023 from the file of the Principal Family Court, Chennai to the file of the Family Court, Tiruvannamalai.

3.The learned counsel for the respondent submitted that he has no objection for transferring the proceedings in H.M.O.P.No.5516 of 2023 to the file of the Family Court, Tiruvannamalai.

4.At this juncture, both the learned counsel for the petitioner and the learned counsel for the respondent submit that the matter may be referred to Mediation for amicable settlement between the petitioner and the respondent.

5.Considering the facts and circumstances of this case and the contentions of the learned counsels appearing on either side, this Court is of the view that the matter may be referred to mediation. Accordingly, the Registry is directed to place the matter before the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras. Both of them agreed for Ms.V.Usha Rani [Mobile No.9444181479] to act as a Mediator to resolve



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the issue between the petitioner and the respondent for continuing with the matrimonial life. Till such time, the proceedings in H.M.O.P.No.5516 of 2023 is stayed.

6.In the event of failure of Mediation, the case in H.M.O.P.No.5516 of 2023 on the file of Principal Family Court, Chennai is transferred to the file of Family Court, Tiruvannamalai and the same may be disposed of as expeditiously as possible.

7.Accordingly, the Transfer Civil Miscellaneous Petition is allowed.
No costs. Consequently, connected Civil Miscellaneous Petition is closed.

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Index: Yes/No
Speaking Order: Yes/No
cse



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- To
- 1.The Principal Family Court,
Chennai.
 - 2.The Family Court,
Tiruvannamalai.



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M.NIRMAL KUMAR, J.

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