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Transfer Civil Misc. *Petition No.669 of 2024*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.04.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

TR C.M.P.No.669 of 2024
and C.M.P.No.14485 of 2024

C.V.Christiyana Joshiba

... Petitioner

Vs

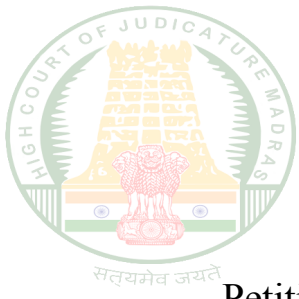
1.Suresh P.S. Shajin
2.Stella Preman
3.Appu Preman
4.Sajeev P.S. Kumar
5.Vinila Gladys Saveej
6.Berlin P.S. Sharmi
7.Rajeev Kumar
8.Appu Mani
9.Little Flower
10.Ajees
11.Aswin
12.Sunil Kumar

... Respondents

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, praying to withdraw and transfer D.V.O.P.No.05 of 2024 from the file of the Combined Court, Kuzhithurai at Kanyakumari to the Jurisdictional Magistrate Court at Chennai.

For Petitioner : Mr.Jerry V.V. Sundar
For Respondents : Mr.A.Balakrishnan

ORDER



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The Petitioner/wife has filed this Transfer Civil Miscellaneous Petition seeking to withdraw the D.V.O.P.No.05 of 2024 pending on the file of the Combined Court, Kuzhithurai at Kanyakumari and transfer the same to the file of the Jurisdictional Magistrate Court at Chennai.

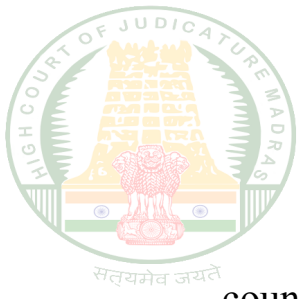
2. The petitioner-wife had filed a Domestic Violence Case against the respondents in D.V.O.P.No.05 of 2024 on the file of the Combined Court, Kuzhithurai, Kanyakumari.

3. The petitioner-wife seeks transfer on the following grounds:

(i) The petitioner and her minor daughter had escaped from the matrimonial home where she had suffered physical abuse.

(ii) The petitioner is now permanently residing at her parental home at Ayanavaram falling within the jurisdiction of the Family Court at Chennai.

(iii) The respondent is not giving any maintenance to the petitioner or her daughter.



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4. Heard the learned counsel for the petitioner and the learned counsel for the respondents and perused the materials available on record.

5. Taking into consideration the facts and circumstances of the case and looking into the grievances expressed by the petitioner, the Transfer Civil Miscellaneous Petition is allowed and D.V.O.P.No.05 of 2024 pending on the file of the Combined Court, Kuzhithurai, Kanyakumari shall stand withdrawn and transferred to the file of the Family Court, Chennai. No costs. Consequently, connected civil miscellaneous petition is closed.

03.04.2025

Index: Yes/No
Speaking order/non-speaking order
Neutral Citation: Yes/No
srn

To,
1. The Combined Court Kuzhithurai, Kanyakumari
2. The Jurisdictional Magistrate Court, Chennai.

P.T.ASHA, J.,

srn



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