



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 02.03.2020

CORAM

THE HONOURABLE Mrs. JUSTICE R.THARANI

TR C.M.P (MD) No.458 of 2019

and

C.M.P(MD) No.10438 of 2019

WEB COPY

J.Charles

.... Petitioner/Petitioner

-Vs-

1.Vijaya Sathiya Selvi.J

2.Joseph Antony

3.J.Annathai J.,

4.J.Prabhakaran

... Respondents/Respondents

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw the G.W.O.P.No.2015 of 2013 pending on the file of the 3rd Additional Family Court, Chennai and transfer the same to the file of Principal District Judge, Thoothukudi, to be tried along with G.W.O.P.No.151 of 2015.

For Petitioner

: Mr.S.Ramesh

For Respondents

: Mr.P.Subbaraj

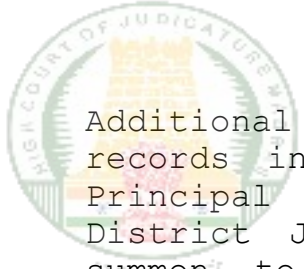
O R D E R

The above Transfer Civil Miscellaneous petition has been filed seeking to withdraw the G.W.O.P.No.2015 of 2013 pending on the file of the 3rd Additional Family Court, Chennai and transfer the same to the file of Principal District Judge, Thoothukudi, to be tried along with G.W.O.P.No.151 of 2015.

2.On the side of the petitioner, it is stated that the petitioner being the father filed G.W.O.P.No.2015 of 2013 pending before the Third Additional Family Court, Chennai. The grandmother and maternal aunt filed G.W.O.P.No.151 of 2015 pending on the file of the Principal District Judge, Thoothukudi. It is also stated that both the cases are to be dealt with by the same judge and prayed that G.W.O.P.No.2015 of 2013 may be transferred to the Principal District Court, Thoothukudi.

3.The learned counsel for the respondent has no objection for allowing this petition.

4.The child is now in the custody of maternal grant parents. Hence, G.W.O.P.No.2015 of 2013, is withdrawn and transferred from the file of the Third Additional Family Court, Chennai, to the Principal District Court, Thoothukudi. The learned Judge, Third



Additional Family Court, Chennai, is directed to transmit the entire records in G.W.O.P.No.2015 of 2013 to the file of the learned Principal District Judge, Thoothukudi. The learned Principal District Judge, Thoothukudi, is hereby directed to issue fresh summons to the respondent after the case is transferred and renumbered and also to tag G.W.O.P.No.2015 of 2013 along with G.W.O.P.No.151 of 2015, which is pending on his file, to conduct joint trial.

5.With the above directions, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (crl side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

cp

To

1.The Third Additional Family Court,
Chennai.

2.The Principal District Judge,
Thoothukudi.

+1 CC to Mr.P.SUBBARAJ, Advocate (SR-9483[F] dated 02/03/2020)

+1 CC to Mr.S.RAMESH, Advocate (SR-9484[F] dated 02/03/2020)

TR C.M.P (MD) No.458 of 2019

and

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VB(16.03.2020) 2P 5C