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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TR CMP No.123 of 2021
and CMP No.3885 of 2021

K.Mohanapriya alias Monika

... Petitioner

Vs

S.Karthik

... Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, 1908 to withdraw and transfer the HMOP No.1599 of 2020 on the file of the Additional Family Court, Chennai to the Family Court-V, Vellore.

For Petitioner : Ms.Thilagavathi

For Respondent : Mr.A.Tamilselvan

O R D E R

The wife seeks transfer of HMOP No.1599 of 2020 on the file of the Additional Family Court, Chennai to the Family Court, Vellore.

2. The transfer is sought for on the ground of convenience of the wife and on the ground that the proceedings for restitution of conjugal rights filed by the wife in FCOP NO.222 of 2020 is pending on the file of the Family Court, Vellore.

3. The husband would resist the transfer contending that he being a resident of Perambur, if the proceedings are transferred to the Family Court, Vellore, he will have to appear for every hearing in person which will cause great hardship to him. He would also claim that the wife picks quarrel every time when he visits Vellore for the hearing in FCOP No.222 of 2020.



4. Considering the convenience of the wife as well as the apprehension expressed by the husband, I am of the opinion that it would be in the interest of parties, the proceedings could be transferred to neutral venue.

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5. In view of the above, HMOP No.1599 of 2020 pending on the file of the Additional Family Court, Chennai and FCOP No.222 of 2020 pending on the file of the Family Court, Vellore are withdrawn and transferred to the Sub Court, Ranipet, where the presence of the parties is not required for every hearing, to be tried and disposed of in accordance with law. The above Course would be convenient to both the parties. The Transfer Civil Miscellaneous Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-V)

// True Copy //

Sub Assistant Registrar

vum

To

1.The V Additional Judge,
Family Court, Chennai.

2.The Judge, Family Court, Vellore.

3. The Sub Judge, Ranipet.

+lcc to Ms.Thilagavathi, Advocate SR.No.61893

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PL(CO)
CB(13/12/2021)