



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2021

CORAM

THE HON'BLE MR. JUSTICE S.S.SUNDAR

TR CMP No.301 of 2021 and

CMP No.7452 of 2021

S.S.Venmani

..Petitioner

Vs

P.Thennavan

... Respondent

Prayer:

Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, 1908, pleased to withdraw O.P.No.4 of 2021 pending before the Family Court, Thiruvallur and transfer the same to the Family Court, Chennai.

For Petitioner : Mr.A.Suresh Sakthi Murugan

For Respondent : Ms.G.R.Eswari

O R D E R

This Civil Miscellaneous petition for transfer is filed by the wife seeking withdrawal and transfer of proceedings in O.P.No.4 of 2021 on the file of the Family Court at Thiruvallur.

2. Ms.G.R.Eswari, learned counsel submitted that she has filed Vakalat for respondent/husband. Hence, she is authorised to make her submissions on behalf of the respondent.

3. This Transfer Civil Miscellaneous Petition is filed by the petitioner/wife on the ground of convenience. It is admitted that the marriage between the petitioner and the respondent was solemnized as per the Hindu Customs on 17.09.2019 at Thirunindravur and they were blessed with a girl child on 02.07.2020. However, due to some misunderstandings, the petitioner/wife is not living together with her husband which prompted the husband/respondent to file the petition for Restitution of conjugal rights in O.P.No.4 of 2021. It is admitted that the petitioner/wife filed a petition for



maintenance under Section 125 of Code of Civil Procedure in M.C.No.16 of 2021 on the file of the learned Judicial Magistrate, Ambattur.

3. The counsel appearing for the respondent would submit that as the husband is living in T.Nagar, Chennai, the proceedings for maintenance in M.C.No.16 of 2021 may be transferred to the Family Court at Chennai to be tried along with O.P.No.4 of 2021.

Considering the fact that the petitioner is in Chennai along with her 8 months old baby and the respondent is also agreeing for transfer of proceedings from the Family Court, Thiruvallur to the Family Court, Chennai, based on the representation of the counsels on either side, the Transfer Civil Miscellaneous petition is allowed and the petition in OP No.4 of 2021 on the file of the Family Court, Thiruvallur is withdrawn and transferred to the Family Court, Chennai and subsequently, the petition filed by the wife in M.C.No.16 of 2021 before the learned Judicial Magistrate, Ambattur is also withdrawn and transferred to Family Court, Chennai, so that it shall be tried along with O.P.No.4 of 2021 by the Family Court, Chennai.

Consequently, connected miscellaneous petition is closed.
No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vum

To

1. The Family Court, Thiruvallur

2. The Family Court, Chennai.

+2cc to Mr.A.Suresh Sakthi Murugan, Advocate, S.R.No.29259
+1cc to Mr.S.Namasivayam, Advocate, S.R.No.29239

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PA(CO)
CT/26/07/2021