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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P.No.376 of 2021
and C.M.P.No.8674 of 2021

M.G.Ayswarya Grace .. Petitioner/ Respondent

Vs.

Jetson Satya Gospel .. Respondent/ Petitioner

Prayer: This Petition filed under Section 24 of the Code of Civil Procedure seeking to withdraw the case in G.W.O.P.No.249 of 2021 pending on the file of the Principal District Court, Tiruvallur to be tried along with O.P.No.4482 of 2019 filed by the respondent pending on the file of the VII Additional Family Court, Chennai.

For Petitioner : Mr.S.Chakkaravarthi

For Respondent : Mr.T.Easwaradhas

O R D E R

(The case has been heard through video conference)

The petitioner, being the wife of the respondent herein, has come up with the present petition seeking to transfer G.W.O.P.No.249 of 2021 pending on the file of the Principal District Court, Tiruvallur to be tried along with O.P.No.4482 of 2019 filed by the respondent pending on the file of the VII Additional Family Court, Chennai.

2. The learned counsel appearing for the petitioner submitted that the petitioner is residing in her widowed mother's house along with her 7 year old daughter at Chennai and she finds it very difficult to travel from Chennai to Tiruvallur for attending the Court on every hearings in G.W.O.P.No.249 of 2021. In these circumstances, on the ground of convenience, she seeks to transfer the case from the Principal District Court, Tiruvallur to the file of the VII Additional Family Court, Chennai to be tried along with O.P.No.4482 of 2019, filed by the respondent seeking restitution of conjugal rights.

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3. The learned counsel for the respondent/husband has submitted that the respondent has no serious objection in transferring the case to Chennai.

4. This Court considered the arguments made by the learned counsel on either side.

5. Considering the facts and circumstances of the case and considering the submission made by the learned counsel on either side and the fact that both the petitioner and respondent are residing at Chennai, G.W.O.P.No.249 of 2021 is withdrawn from the file of the Principal District Court, Tiruvallur and transferred to the file of the VII Additional Family Court, Chennai for disposal as per law. The learned Principal District Judge, Tiruvallur is directed to transmit the papers to the VII Additional Family Court, Chennai forthwith. The learned Judge, VII Additional Family Court, Chennai is directed to dispose of G.W.O.P.No.249 of 2021 along with O.P.No.4482 of 2019 on merits and in accordance with law as expeditiously as possible.

6. In fine, this Transfer Civil Miscellaneous Petition is allowed. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

Kk

To
1.The Principal District Judge, Tiruvallur.

2. The Judge VII Additional Family Court, Chennai.

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GJ(CO)
CT(27/09/2021)

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