WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.04.2022

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

Tr.C.M.P.No.163 of 2022
&
C.M.P.No.3249 of 2022

A.D.Aruna Devi ... Petitioner

Vs

J.Bhagya Raj ... Respondent

Prayer: Petition is filed under Section 24 of the Code of Civil Procedure to withdraw the O.P.No.100 of 2021 on the file of Principal Sub-Court at Chengalpet in Kancheepuram-1 and transfer the same to the file of IV Additional Judge, Family Court, Chennai for disposal along with M.C.No.278 of 2021.

For Petitioner : Mr.R.V.Lakshmipathy
For Respondent : No Appearance.

ORDER

The above Transfer Petition is filed seeking transfer of O.P.No.100 of 2021, filed by the husband for restitution of conjugal rights on the file of the Principal Subordinate Court, Chengalpattu to the file of the IV Additional Family Court, Chennai, to be tried along with M.C.No.278 of 2021, filed by the petitioner wife seeking maintenance.

2. The petitioner wife would submit that the petition filed by the husband in O.P.No.100 of 2021 is only a counter blast to the maintenance petition filed by her in M.C.No.278 of 2021. The petitioner would state that she is living with her parents at Chennai and she cannot travel alone to the Principal Sub-Court, Chengalpet, Kancheepuram to attend the hearings.

3. The respondent though served has not entered appearance. Heard the learned counsel for the petitioner and perused the records.

4. Considering the fact that the petitioner is residing at Chennai and also taking into account the fact that the

https://hcservices.ecourts.gov.in/hcservices/

WEB COPY

respondent husband is not maintaining her and for which she has filed a maintenance petition, the Transfer Civil Miscellaneous Petition is allowed. Accordingly, O.P.No.100 of 2021 pending on the file of the Principal Subordinate Court, Chengalpet is withdrawn and transferred to the file of the IV Additional Family Court at Chennai. Consequently, connected Civil Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

kan

To

1.The Principal Subordinate Judge,
Chengalpet.

2.The IV Additional Judge,
Family Court at Chennai.

+1cc to Mr.R.V.Lakshmipathy, Advocate SR.No.23759

Tr.C.M.P.No.163 of 2022

SV(CO)
GN(05/05/2022)

https://hcservices.ecourts.gov.in/hcservices/