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Tr.CMP No.582 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07-12-2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Tr.C.M.P.No.582 of 2022

and

C.M.P.No.10174 of 2022

Mrs.A.Rubi Sebastina

.. Petitioner

vs.

Mr.D.Franklin Rex

.. Respondent

PRAYER : This Transfer CMP is filed under Section 24 of the Civil Procedure Code, to withdraw the case in IDOP No.216 of 2022 from the file of the Family Court at Salem and transfer the same to the file of the Family Court at Erode.

For Petitioner : Mr.R.Prabakar

For Respondent : Ms.R.T.Sundari



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ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the IDOP No.216 of 2022, pending on the file of the Family Court at Salem and transfer the same to the file of the Family Court at Erode.

2. The marriage between the petitioner and the respondent was solemnised on 27.08.2017 as per the Christian Customs. One male child was born from and out of the wedlock and is aged about 4 years now.

3. The respondent filed IDOPNo.216 of 2022 for dissolution of marriage now pending on the file of the Family Court at Salem.

4. The learned counsel for the petitioner states that the petitioner and her 4 years old male child are residing along with her aged parents and she has to look after the male child. The petitioner is unemployed and she is



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depending on her parents. Thus, she is not in a position to travel all along from Erode to Salem to contest the divorce petition filed by the respondent before the Family Court at Salem.

5. Considering the facts and circumstances, the IDOP No.216 of 2022 pending on the file of the Family Court at Salem stands transferred to the Family Court at Erode forthwith. The Family Court at Salem is directed to transmit the case papers to the file of the Family Court at Erode, within a period of four weeks from the date of receipt of a copy of this order.

6. With the abovesaid directions, the Transfer Civil Miscellaneous Petition stands allowed. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

07-12-2022

Speaking Order/Non-Speaking Order.

Internet : Yes/No.

Index: Yes/No.

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S.M.SUBRAMANIAM, J.

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1.The Judge,
Family Court,
Salem.

2.The Judge,
Family Court,
Erode.

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