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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2022

CORAM

THE HON'BLE MS.JUSTICE P.T.ASHA

Tr.C.M.P.No.449 of 2021
and
C.M.P.No.11864 of 2021

Preethi @ Lakshmipriya

...Petitioner

Vs

R. Veeravel Pranesh

...Respondent

PRAYER:Transfer Civil Miscellaneous Petition is filed under Section **(*)24 I (b) II** of Civil Procedure Code, to withdraw the O.P.No.2613 of 2021 from the file of the **(*)IV Additional Family Cout**, Chennai and transfer the same to the file of the Subordinate Court, Kumbakonam.

(*)(Prayer amended vide court order dated 11.03.2022 made in C.M.P.No.13513/21 in Tr.CMP.No.449/21 PTAJ)

For Petitioner : Mr.S.Sathia Chandran

For Respondent : Ms. Sathya
for M/s.Gajalakshmi Rajendran

O R D E R

The Petitioner/wife has filed this Transfer Civil Miscellaneous Petition seeking to transfer O.P.No.2613 of 2021 pending on the file of the **(*)IV Additional Family Court**, Chennai to Sub Court, Kumbakonam.

2.The transfer is sought on the following grounds:

a)The petitioner is residing at Kumbakonam, Thanjavur District, with her aged parents. It would be difficult for her to travel all along from Kumbakonam to Chennai for each of the hearing. Her aged parents also could not accompany her for the Court hearings.



b)The petitioner is unable to manage to appear in the proceedings initiated by the respondent in Chennai, as she does not have sufficient means to frequently come over to Chennai.

3.Heard the learned counsel for the petitioner and the learned counsel for the respondent.

4.Considering the fact that the sufficient and compelling reasons have been given by the petitioner for transferring the petition, the Transfer Civil Miscellaneous Petition is allowed in O.P.No.2613 of 2021 on the file of the **(*)IV Additional Family Court**, Chennai is withdrawn and transferred to the file of the Subordinate Court at Kumbakonam. No costs. Consequently, connected Miscellaneous Petition is closed.

Srn

09.03.2022

For Being Mentioned

This matter having been listed under the Caption for being mentioned on 11.03.2022 pursuance to the order of this court dated 09.03.2022 and made herein in the presence of the aforesaid counsels on the eitherside the court made the following order:

Today, the matter is listed today under the caption "for being mentioned" at the instance of the learned counsel for the petitioner.

2.The learned counsel for the petitioner would submit that it was not brought to the notice of this Court that an amendment petition in C.M.P.No.13513 of 2021 had been filed, since there was an error in the number of the Court in the petition. Instead of showing the Court as the IV Additional Family Court, Chennai, it has been wrongly mentioned as the III Additional Family Court, Chennai. Therefore, the Tr.C.M.P was allowed by this Court on 09.03.2022 by transferring O.P.No.2613 of 2021 pending on the file of the III Additional Family Court, Chennai to the Subordinate Court, Kumbakonam.

3.Taking into account the fact that the amendment is an innocuous amendment and as there was no objection by the learned counsel for the respondent, C.M.P.No.13513 of 2021 was allowed and the Registry was directed to carry out the amendment.

4.In the light of the above order, paragraph 4 of the original order dated 09.03.2022 has to therefore be amended as IV Additional Family Court, instead of III Additional Family Court, Chennai.



5. Registry is directed to issue corrected copy of the order to the parties forthwith. In other respects, the earlier order dated 09.03.2022 shall remain unaltered.

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Sd/-
Assistant Registrar(CO)

***Correctd as per order of
this court dated 11.03.2022
made in Tr.CMP.No.449/21
and CMP.No.11864/21**

//True Copy//

Sub Assistant Registrar

srn

To

1. **(*)The IV Additional Judge,**
Family Court, Chennai
2. The Subordinate Judge,
Kumbakonam
3. The Section Officer,
V.R.Section, High Court, Madras

Copy To

The III Additional Judge,
Family Court, Chennai.

Tr.C.M.P.No.449 of 2021
and
C.M.P.No.11864 of 2021

MG(CO)
RGA(15/06/2022)