



Tr.C.M.P.No.682 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2022

CORAM :

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

Tr.C.M.P.No.682 of 2022

and

C.M.P.No.11727 of 2022

S.Janaki

... Petitioner

Versus

S.Shankar

... Respondent

Prayer : Transfer Civil Miscellaneous Petition filed under Section 24 of CPC, to order for withdrawal of the M.C.No.12 of 2021 on the file of the learned Judicial Magistrate -II, Tiruvallur and transfer the same along with the file of H.M.O.P.No.4737 of 2019 which is pending before the III Additional Family Court, Chennai.

For Petitioner : M/s.D. Sivaraam



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ORDER

WEB COPY The petitioner herein seeks transfer of her maintenance petition in M.C.No.12 of 2021 pending on the file of the learned Judicial Magistrate-II, Tiruvallur to the file of the learned III Additional Family Court, Chennai.

2. According to the petitioner, the respondent filed petition for divorce against her in H.M.O.P.No.4737 of 2019 on the file of the learned III Additional Family Court, Chennai and the same is pending.

3. It is settled, in the matter involving matrimonial disputes, the preference shall be given to his wife. The petitioner/wife in her affidavit expressed difficulty in attending above two cases before two different Courts as sought for transfer of her maintenance case to Family Court, Chennai. In view of the pendency of the divorce application before the learned III Additional Family Court, Chennai, the petition for maintenance filed by her before the learned Judicial Magistrate, Tiruvallur can also be transferred to learned III Additional Family Court, Chennai.



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4. Therefore, by taking into consideration, the convenience of wife, the above transfer petition is allowed. The M.C.No.12 of 2021 is hereby withdrawn from the file of the learned Judicial Magistrate, Thiruvallur and the same is transferred to the file of the learned III Additional Family Court, Chennai for simultaneous hearing with H.M.O.P.No.4737 of 2019. Consequently connected Miscellaneous Petition is closed. No costs.

27.09.2022

Index : Yes/No

Speaking Order : Yes /No

Sma

To:

1. Judicial Magistrate, Thiruvallur
2. III Additional Family Court, Chennai.



WEB COPY



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S.SOUNTHAR,J.

Sma

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