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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2022

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

TR.C.M.P.NO.731 OF 2021

AND

C.M.P.NO.17796 OF 2021

N.R.Prasana Venkatesh

... Petitioner

Vs.

S.Bharani

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C to withdraw the H.M.O.P. No.82 of 2021 from the file of the Judge, Family Court, Cuddalore and transfer the same to the Judge, Family Court, Chennai.

For Petitioner : Mr.G.S.Sivakumar

For Respondent : Mr.V.Balamurugane

O R D E R

This Transfer Civil Miscellaneous Petition is filed by the husband seeking transfer of the proceedings in H.M.O.P. No.82 of 2021 filed by the respondent/wife seeking restitution of conjugal rights on the file of the Family Court, Cuddalore to the Family Court at Chennai.

2. The ground on which the transfer is sought for is that the wife is employed at Chennai and for the time being she is residing at Cuddalore. She is working from home, however, once the regular work resumes, she would have to come to Chennai. Therefore, the pendency of the proceedings before the Family Court, Cuddalore would also inconvenience her. Though the learned counsel appearing for the respondent have vehemently objected the said application stating that the minor daughter is studying at Cuddalore, she would fairly concede that the respondent/wife is employed at Cognizant Technologies Solution India Pvt. Ltd., at Chennai and that she is presently residing at Cuddalore and she is working from home.



3. Therefore, taking into consideration the above fact, this Court is of the view that both the parties would benefit if the proceedings in H.M.O.P. No.82 of 2021 pending on the file of the Family Court, Cuddalore is withdrawn and transferred to any one of the Family Court at Chennai. The learned Principal Judge, Family Court, Chennai shall allocate a Court to which the above matter should be referred to.

4. With the above direction, this Transfer Civil Miscellaneous Petition is allowed and the petition in H.M.O.P. No.82 of 2021 is withdrawn from the file of the Family Court, Cuddalore and the same is transferred to the file of the Family Court, Chennai. No Costs. Consequently, the connected Civil Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

ab/ssn

To

1. The Principal Judge,
Family Court, Chennai
2. The Judge,
Family Court, Cuddalore.

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and
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AJS (CO)
RLP (21/03/2022)