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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2022

CORAM

THE HONOURABLE Ms. JUSTICE P.T.ASHA

Tr.CMP. No.761 of 2021
and C.M.P.No.18100 of 2021

K. Malathi

...Petitioner

-Vs-

D. Vinoth

...Respondent

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure, to withdraw the proceedings in H.M.O.P.No.6 of 2019 pending on the file of the Subordinate Court, Kancheepuram and transfer the same to the file of the Principal Family Court, Chennai.

For Petitioner : Ms.Karthika Devi V
For Respondent : Mr.R.Siva Kumar

ORDER

The Transfer Civil Miscellaneous Petition has been filed by the wife seeking transfer of H.M.O.P.No.6 of 2020 filed by the husband for divorce before the learned Sub Judge, Kancheepuram, to the file of the learned Principal Family Court, Chennai.

2.The petitioner would contend that marriage between herself and the respondent had been solemnized on 01.12.2017 at Kancheepuram as per Hindu rites and customs. Out the wedlock, they had one girl child by name Subithra born on 20.01.2021. Thereafter, there was some quarrel between them due to indifferent behaviour of the parents of the respondent.

3.The reasons for seeking the transfer are as follows:

1.The petitioner is residing at Chennai and respondent/husband has not come forward to pay any maintenance to her.



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2. Since, the matter is pending before the learned Sub Judge, Kancheepuram, the petitioner has to travel for every hearing from Chennai to Kancheepuram.

4. Considering the above reasons and also taking note of the fact that the petitioner is residing at Chennai and the husband has not been paying any maintenance for his wife expenses, the Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.6 of 2020, pending on the file of the learned Sub Judge, Kancheepuram, is withdrawn and transferred to the file of the learned Principal Family Court, Chennai. No costs. Consequently, connected Miscellaneous Petition is closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

mps
To

1. The Subordinate Judge
Kancheepuram

2. The Principal Judge,
Family Court,
Chennai.

+2 Ccs to Ms.V. Karthika Devi, Advocate sr 15242
+1 CC to Mr.R.Sivakumar, Advocate sr 15254.

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GPL (CO)
SP (11/04/2022)