



TR.C.M.P(MD).No.289 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

TR.C.M.P(MD).No.289 of 2022

and

C.M.P(MD).No.4842 of 2022

Jency Mary

... Petitioner

versus

P.Godwin

... Respondent

Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C to withdraw the case in IDOP No.198 of 2021 on the file of the learned Additional District and Sessions Judge at Tenkasi and transfer the same to the file of I Additional Family Court, Chennai for trial along with IDOP No.5332 of 2021.

For Petitioner : Mr.C.Suresh Kannan

For Respondent : Mr.A.Anandaraj



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ORDER

This Transfer Civil Miscellaneous Petition has been filed seeking transfer of the case in IDOP No.198 of 2021 from the learned Additional District and Sessions Judge at Tenkasi, to the file of the First Additional Family Court, Chennai, to be tried along with IDOP No.5332 of 2021.

2. The learned counsel appearing for the petitioner submits that the marriage between the petitioner and the respondent was solemnized on 23.05.2013, as per the Christian Rites and Customs and out of the wedlock, they were blessed with two children. Due to some misunderstanding, now, they are living separately. Thereafter, the petitioner filed I.D.O.P.No.198 of 2021 before the learned Additional District and Sessions Judge, Tenkasi, seeking divorce. Subsequently, the respondent filed I.D.O.P.No.5332 of 2021 before the First Additional Family Court, Chennai, for restitution of conjugal rights.



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He further submits that now, the petitioner got a job at Chennai and she also shifted her residence from Tenkasi to Chennai. Since the petition filed by the respondent is pending before the First Additional Family Court, Chennai, she seeks transfer of the case filed by her in IDOP No. 198 of 2021 from the file of learned Additional District and Sessions Judge, Tenkasi to the file of the First Additional Family Court, Chennai.

3. The learned counsel appearing for the respondent submits that he has no objection for transferring the case in IDOP No.198 of 2021 from the file of learned Additional District and Sessions Judge, Tenkasi to the file of the First Additional Family Court, Chennai.

4. Considering the submissions made by the learned counsel appearing for the petitioner and in view of no objection having been made by the learned counsel appearing for the respondent, the Transfer Civil Miscellaneous Petition is allowed. The proceedings in IDOP No.



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198 of 2021 pending on the file of the learned Additional District and Sessions Judge, Tenkasi, is withdrawn and transferred to the file of the First Additional Family Court, Chennai, to be tried along with IDOP No.5332 of 2021. No costs. Consequently, connected miscellaneous petition is closed.

27.07.2022

Index : Yes / No
Internet: Yes / No
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To

1. The learned Additional District and Sessions Judge, Tenkasi.
2. The First Additional Family Court, Chennai.



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B.PUGALENDHI, J.

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