



Tr. C.M.P.No. 44 of 2023

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T.V.THAMILSELVI, J.

This matter was taken up for hearing under the caption “For Being Mentioned” today at the instance of the learned counsel for the petitioner.

2. The learned counsel for petitioner would submit that this Court by an order dated 29.03.2023 allowed the above Tr.C.M.P. However, in para-5 of the order, instead of mentioning the fact that the petitioner is living with her child, it was wrongly mentioned as the petitioner is living with her two children. Hence, the matter is listed today.

3. Heard the contentions of learned counsel for petitioner and perused the order.

4. Considering his submissions, the paragraph-5 of the order is clarified as follows:

In Para 5 at Page 2

“5. Accordingly, the present Tr.C.M.P. is allowed and the F.C.O.P. No. 312 of 2022 pending on the file of the Family Court, Vellore is withdrawn and transferred to the file of Family Court, Coimbatore. Further, the Family Court, Vellore is directed to transfer the records in connection with F.C.O.P. No. 312 of 2022 to the Family Court, Coimbatore



Tr. C.M.P.No. 44 of 2023

WEB COPY

within a period of two weeks from the date of receipt of copy of this order. Further, the petitioner is living with her child without any source of income and the respondent is not paying any sum to maintain the child. Therefore, the respondent is directed to pay a sum of Rs.8,000/- as interim maintenance to the petitioner on first working day of every month until modified by any court of law. No costs. Consequently, connected Civil Miscellaneous Petition is closed. ”

5. Registry is directed to incorporate above correction in the Order of this Court in Tr.C.M.P. No.44 of 2023 dated 29.03.2023 and issue fresh order copy to the petitioner.

12.06.2023

rpp



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Tr. C.M.P.No. 44 of 2023

T.V.THAMILSELVI, J.

rpp

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12.06.2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS



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Tr. C.M.P.No. 44 of 2023

DATED : 29.03.2023

CORAM :

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

TR.CMP No.44 of 2023
& CMP No. 1304 of 2023

D.Kalaivani

.... Petitioner

-Vs-

K.Paranthaman

.... Respondent

Prayer : Transfer Civil Miscellaneous Petition under Section 24 of C.P.C., to withdraw F.C.O.P No.312 of 2022 pending on the file of the Hon'ble Family court at Vellore and same may be transfer to the Hon'ble Family court of Coimbatore.

For Petitioner : Mr.K.Arunagiri
For Respondent : No Appearance

ORDER

This petition has been filed to withdraw F.C.O.P No.312 of 2022 pending on the file of the Family court, Vellore and to transfer the same to the Family court, Coimbatore.



Tr. C.M.P.No. 44 of 2023

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2. Heard the learned counsel for the petitioner and there in no representation on the side of the respondent despite serving notice.

3. It is seen from the records that the respondent filed F.C.O.P No.312 of 2022, on the file of the Family court, Vellore, for divorce. Now, the petitioner living with child without source of income.

4. Considering the distance between the petitioner's house and the Court, and also the fact that the petitioner is living with her child without source of income. Hence, this Court is inclined to transfer the F.C.O.P No.312 of 2022 pending on the file of the Family court, Vellore to Family court, Coimbatore.

5. Accordingly, the present Tr.C.M.P. is allowed and the F.C.O.P No.312 of 2022 pending on the file of the Family court, Vellore, is withdrawn and transferred to the file of the Family court, Coimbatore. Further, the Family court, Vellore, is directed to transfer the records in connection with F.C.O.P No.312 of 20221, to the Family court, Coimbatore, within a period of two weeks from the date of receipt



Tr. C.M.P.No. 44 of 2023

WEB COPY

of a copy of this order. Further the petitioner is living along with her two children without source of income and the respondent is not yet paid any sum to maintain the children. Therefore, the respondent is directed to pay a sum of Rs.8,000/- as interim maintenances to the petitioner on first working day of every month until modified by any Court of law. No costs. Consequently connected miscellaneous petition is closed.

29.03.2023

Index : Yes/No
Internet : Yes/No
pbl

To

- 1.The Family court, Vellore.
- 2.The Family court, Coimbatore .



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Tr. C.M.P.No. 44 of 2023

T.V.THAMILSELVI, J.
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TR.CMP.No.44 of 2023
& CMP No. 1304 of 2023

29.03.2023