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Tr.CMP. No.49 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.03.2023

CORAM :

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

TR.CMP No.49 of 2023
& CMP No. 1417 of 2023

S.Mahadhiya

.... Petitioner

-Vs-

S.Shajahan

.... Respondent

Prayer : Transfer Civil Miscellaneous Petition under Section 24 of C.P.C., to order withdrawal of O.S No. 304 of 2022 from the V Additional Family Court, Chennai, and transfer the same to Family court in Ramanathapuram.

For Petitioner : Mr.S.Shujath Hussain

For Respondent : Mr.C.Prabakaran

ORDER

This petition has been filed to withdraw O.S No. 304 of 2022 from the V Additional Family Court, Chennai, and transfer the same to Family court, Ramanathapuram.



2. Heard the learned counsel for the petitioner and the learned counsel for the respondent.

3. It is seen from the records that the respondent filed O.S No. 304 of 2022 , on the file of the V Additional Family Court, Chennai, for restitution of conjugal rights. Now, the petitioner living with her parents and also the distance between Ramanathapuram and Chennai is 1100 kilometers.

4. Considering the distance between the petitioner's house and the Court, and also the reason assigned by the petitioner is justifiable. Hence, this Court is inclined to transfer the O.S No. 304 of 2022 pending on the file of the V Additional Family Court, Chennai to Family court, Ramanathapuram.

5. Accordingly, the present Tr.C.M.P. is allowed and the O.S No. 304 of 2022 pending on the file of the V Additional Family Court, Chennai, is withdrawn and transferred to the file of the Family court, Ramanathapuram. Further, the V Additional Family Court, Chennai, is directed to transfer the records in connection with O.S No. 304 of 2022, to the Family court, Ramanathapuram, within a period of two weeks from the date of receipt of a copy



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of this order. Further both the parties along with their respective counsels are directed to appear before Mediation Centre, Ramanathapuram, for three sittings, if the matter is not settled the Family Court, Ramanathapuram, is directed to complete the Trial as expeditiously as possible. No costs. Consequently connected miscellaneous petition is closed.

31.03.2023

Index : Yes/No

Internet : Yes/No

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Note: Issue order copy on 11.04.2023.

To

- 1.The V Additional Family Court, Chennai.
- 2.The Family court, Ramanathapuram.



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T.V.THAMILSELVI, J.
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