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Tr.CMP No.144 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2023

CORAM :

THE HONOURABLE Mrs.JUSTICE T.V.THAMILSELVI

TR.CMP No.144 of 2023

and

C.M.P.No.3096 of 2023

P.Divyapriya

.... Petitioner

-Vs-

K.Dhandapani

.... Respondent

Prayer : Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw HMOP.No.30 of 2022 from the file of the Sub Court, Vellore and transfer the same to the Family Court, Chennai.

For Petitioner : Mr.A.M.Packianathan Easter

For Respondent : Mr.G.Nirmal Krishnan



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ORDER

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The petitioner/wife seeks transfer of HMOP.No.30 of 2022 from the file of the Sub-Court, Vellore to the Family Court, Chennai.

2. The respondent/husband filed a petition seeking for dissolution of marriage. The petitioner/wife has produced her Aadhar Card to prove her residence at Chennai. She is also having a child viz., Sai Krishnan, who is suffering with disability. Since she is taking treatment for her son, she could not travel to Vellore.

3. The learned counsel for the respondent submits that the respondent is employed at nearby Bangalore and he is unable to travel to Chennai. Hence, he raised objection to transfer the case.

4. On seeing the fact that the petitioner/wife is residing at Chennai and having a physically challenged minor son. Considering the reason assigned by the petitioner is justifiable, HMOP.No.30 of 2022 is withdrawn from the file of the Sub-Court, Vellore and transferred to the file of Family



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Court, Chennai, to be disposed of in accordance with law and the learned Sub Judge, Vellore is directed to send entire records to the learned Family Court Judge, Chennai within a period of two(2) weeks from the date of receipt of a copy of this order.

5. Accordingly, this Tr.C.M.P.No.144 of 2023 is allowed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

03.04.2023

Index : Yes/No

Speaking Order: Yes/No
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To

1.The Sub-Court,
Vellore.

2.The Family Court,
Chennai.



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T.V.THAMILSELVI, J.

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