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TR.CMP.No. 275 of 2023

and

CMP.No. 5964 of 2023

V.BHAVANI SUBBAROYAN. J,

This matter is listed today under caption "For being mentioned" at the instance of the learned counsel for the petitioner.

2. The learned counsel for the petitioner submitted that this Court earlier delivered the order dated 07.08.2023 in Paragraph No.5 of the order it has been inadvertently mentioned and therefore, he seeks to rectify the following error:-

5. In view of the above said facts, it is seen that the respondent/husband has filed a petition for dissolution of marriage in F.C.O.P.No. 252 of 2022, pending before the Family Court, Vellore and the petitioner/wife has filed the above transfer petition to transfer the same to Sub-Court, Alandur. It was further submitted that the respondent/husband has also filed a petition in G.W.O.P.No.293 of 2022 pending on the Principal District Court, Chengalpet under the Guardian and Wards Act, 1890, for the custody of the minor child where the same is pending and seeks to transfer the same to Family Court, Chennai. If the wife seeks the matter to be listed before the Sub-Court, Alandur and the matter had to be tried together, regarding the custody of the minor child and a petition for dissolution of marriage, both the Courts are at different places and it is going to cause trouble to both the parties. Therefore, this Court is inclined to transfer F.C.O.P. No. 252 of 2022,



pending before the Family Court, Vellore to the Family Court, Chennai. Regarding the other prayer for transfer of case which is pending before the Chengalpattu Court, the petitioner is directed to file an appropriate petition before this Court. The petitioner is further directed that when ever the case is listed before the Family Court, Chennai, the child to be brought to the Court and the father shall be given some time to spend with the child in the Family Court, Chennai. No costs. Consequently, connected miscellaneous petition is closed.

3. In view of the above submission, Registry is directed to carryout necessary corrections and issue fresh order copy.

29.09.2023

MSM

Note: Issue order copy on 23.11.2023



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msm

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