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Tr.CMP No.250 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.250 of 2023

and

C.M.P.No.5468 of 2023

N.Keerthika

.... Petitioner

-Vs-

C.Arunkumar

.... Respondent

Prayer : Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw the F.C.O.P.No.265 of 2021 on the file of the Family Court Judge, Chengalpattu and transfer the same to the Sub-Court, Thiruvottiur.

For Petitioner : Mr.P.Premkumar

For Respondent : No Appearance



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ORDER

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The petitioner/wife seeks transfer of F.C.O.P.No.265 of 2021 from the file of the Family Court Judge, Chengalpattu to the file of Sub-Court, Thiruvottiyur.

2. The petitioner is the wife against whom the respondent/husband filed a petition in FCOP.No.265 of 2021 on the file of the Family Court, Chengalpattu seeking for divorce. Thereafter, the petitioner/wife filed a petition in HMOP.No.25 of 2023 seeking for restitution of conjugal rights before the Sub Court, Thiruvottiyur. The petitioner is living with a girl child aged about 6 years and she is unable to maintain her child and attend the Court proceedings by traveling 80 kms and hence, the petitioner wants to transfer the F.C.O.P.No.265 of 2021 from the learned Family Court Judge, Chengalpattu.

3. Private notice served, but there is no appearance. Hence, there is no objection from the respondent.



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4. On seeing the fact that the petitioner/wife is residing at Thiruvottiyur and having a child aged 6 years and considering the reason assigned by the petitioner is justifiable, F.C.O.P.No.265 of 2021 is withdrawn from the file of the learned Family Court Judge, Chengalpattu and transferred to the file of Sub-Court, Thiruvottiyur, to be disposed of in accordance with law and the learned Family Court Judge, Chengalpattu is directed to send entire records to the Sub-Court, Thiruvottiyur, 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.250 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
kmi

To
1.The Family Court Judge,
Chengalpattu.
2.The Sub Court,
Thiruvottiyur.



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T.V.THAMILSELVI, J.

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