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Tr.CMP No.281 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.281 of 2023

and

C.M.P.No.6140 of 2023

Srinath

.... Petitioner

-Vs-

Varsha

.... Respondent

Prayer : Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw the H.M.O.P.No.641 of 2022 on the file of the Family Judge, Tiruchirapalli and transfer the same to the Sub Court at Alandur with a direction to try along with HMOP.No.111 of 2023.

For Petitioner : Mrs.Rohini Ravikumar

For Respondent : Ms.Zubaita Beny



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ORDER

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The petitioner/husband seeks transfer of H.M.O.P.No.641 of 2022 from the file of the learned Family Judge, Tiruchirapalli to the file of Sub Court at Alandur with a direction to try along with HMOP.No.111 of 2023, which was filed by him for divorce.

2. The learned counsel for the petitioner submitted that already the respondent/wife filed a petition in HMOP.No.641 of 2022 seeking for nullity of marriage before the Family Court at Tiruchirapalli. He would further submit that the petitioner employed in a private IT Company. Hence, the petitioner wants to transfer the case pending before the Family Court, Tiruchirapalli so as to enable them to dispose the cases jointly.

3. The learned counsel for the respondent/wife submits that the parents of the respondent are permanently residing at Tiruchirapalli, but she is working at Chennai. Hence, he raised objection to transfer the case.

4. Considering the fact that the petitioner/husband and the respondent/wife are currently residing and working at Chennai, H.M.O.P.No.641 of 2022 is withdrawn from the file of the learned Family Judge, Tiruchirapalli and transferred to the file of Sub Court at Alandur. The



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learned Family Court Judge, Tiruchirapalli is directed to send entire records to the learned Sub Court at Alandur within a period of two(2) weeks from the date of receipt of a copy of this order. Thereafter, the Sub Court at Alandur is directed to give notice to both the parties and dispose the case in accordance with law as early as possible.

5. Accordingly, this Tr.C.M.P.No.281 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 Family Judge, Tiruchirapalli.

2.The Subordinate Judge,
Alandur.



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T.V.THAMILSELVI, J.

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