



Tr.C.M.P.Nos.336 & 339 of 2023

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T.V.THAMILSELVI, J.

This matter was taken up for hearing under the caption “For Clarification” today at the instance of the learned counsel for the petitioner.

2. The learned counsel for petitioner would submit that this Court by an order dated 06.04.2023 disposed of the above Tr.C.M.P.s and also issued direction. However, he brought to the notice of this court that the learned Sub-Court, Tambaram has no jurisdiction to entertain Guardian Ward O.P. and furthermore, the petitioner is residing at Chintadripet, Chennai, which comes under the jurisdiction of City Civil Court, Chennai. Therefore, he prayed that both H.M.O.P. as well as G.W.O.P. may be transferred to the Family Court, Chennai. Accordingly, the matter is listed today.

3. Heard the contentions of learned counsel for petitioner and perused the order.

4. Considering his submissions, the paragraph-4 of the order is clarified as follows:



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In Para 4 at Page 3

“4. Facts reveal that now the respondent is employed in a bank. The Revision Petitioner is also employed in a bank and transferred to Kattangulathur Branch, Union Bank of India. Therefore, the matter may be directed to be transferred to Family Court, Chennai. Accordingly, H.M.O.P.No.124 of 2022 and GWOP. No. 739 of 2022 pending on the file of XII Judge, Family Court, Kanniyakumari at Nagercoil are withdrawn and transferred to the file of Family Court, Chennai. The XII Judge, Family Court, Kanniyakumari at Nagercoil is directed to send the entire case bundles to the Family Court, Chennai forthwith. The respondent is also directed to appear before the Family Court, Chennai. Before taking on file, Family Court, Chennai is directed to issue notice to both parties and proceed with the above case.”

5. Registry is directed to incorporate above correction in the Order of this Court in Tr.C.M.P.Nos.336 & 339 of 2023 dated 06.04.2023 and issue fresh order copy to the petitioner.

04.07.2023

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04.07.2023



Tr.C.M.P.Nos.336 & 339 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2023

CORAM:

THE HONOURABLE MRS.JUSTICE **T.V.THAMILSELVI**

Tr.CMP.Nos.336 & 339 of 2023 and

CMP.Nos.7515 & 7538 of 2023

Tr.CMP.No.336 of 2023

N.T.Anusha

... Petitioner

Vs.

S.Senthil Kumar

... Respondent

PRAYER: Transfer CMP is filed under Section 24 of CPC to allow the instant transfer petition by directing transfer of the Guardianship Petition GWOP.No.739 of 2022 pending on the file of the XII Judge, Family Court, Kaniyakumari at Nagercoil and transfer the same to the file of the Family Court at Chennai, Tamilnadu.

For Petitioner : Mr.G.Dhinesh

Tr.CMP.No.339 of 2023

N.T.Anusha

... Petitioner

Vs.

S.Senthil Kumar

... Respondent



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PRAYER: Transfer CMP is filed under Section 24 of CPC to allow the instant transfer petition by directing transfer of the Divorce Petition HMOP.No.124 of 2022 pending on the file of the XII Judge, Family Court, Kanyakumari at Nagercoil and transfer the same to the file of the Family Court at Chennai, Tamilnadu.

For Petitioner : Mr.G.Dhinesh

COMMON ORDER

Tr.CMP.No.336 of 2023 has been filed for transfer of GWOP.No.739 of 2022 pending on the file of the XII Judge, Family Court, Kanyakumari at Nagercoil to the file of the Family Court at Chennai, Tamilnadu. Tr.CMP.No.339 of 2023 has been filed for transfer of HMOP.No.124 of 2022 pending on the file of the XII Judge, Family Court, Kanyakumari at Nagercoil to the file of the Family Court at Chennai, Tamilnadu.

2. Though notice served, no representation for the respondent.



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3. As per the affidavit, the petitioner/ wife is working at Kattangulathur. But she wants to transfer the above cases to Family Court, Chennai.

4. Facts reveal that now the respondent is employed in a bank. The revision petitioner is also employed in a bank and transferred to Kattangulathur Branch, Union Bank of India. Therefore, instead of Chennai, the matter may be directed to be transferred to Tambaram Sub Court. Accordingly, HMOP.No.124 of 2022 and GWOP.No.739 of 2022 pending on the file of the XII Judge, Famil Court, Kaniyakumari at Nagercoil are withdrawn and transferred to the file of the Sub Court, Tambaram. The XII Judge, Famil Court, Kaniyakumari at Nagercoil is directed to send the entire case bundles to the Sub Court, Tambaram forthwith. The respondent is also directed to appear before the Sub Court, Tambaram. Before taking on file, Sub Court, Tambaram is directed to issue notice to both the parties and proceed with the above cases.



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5. With the above directions, both the transfer CMP's are disposed of. Consequently, connected miscellaneous petitions are closed.

There shall be no order as to costs.

06.04.2023

Index :Yes/No

Internet : Yes/No

Speaking order/non-speaking order

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To

1.XII Judge,
Famili Court,
Kaniyakumari
Nagercoil

2.The Sub Court,
Tambaram



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T.V.THAMILSELVI, J.

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06.04.2023