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Tr.CMP. No.417 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2023

CORAM :

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

TR.CMP No.417 of 2022

S.Kalimbasha

.... Petitioner

-Vs-

Fathima Bi

.... Respondent

Prayer : Transfer Civil Miscellaneous Petition under Section 24 of C.P.C., to withdraw the O.S No. 75 of 2020 before the Principal District Munsif Court, Ambur and transfer the same to the file of the Honourable Family Court at Chennai.

For Petitioner : Mr.R.Murali Krishnan
For Respondent : Mr.K.Kumar

ORDER

This petition has been filed to withdraw the O.S No. 75 of 2020 before the Principal District Munsif Court, Ambur and transfer the same to the file of the Family Court, Chennai.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondent.



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3. The petitioner herein is the husband of the respondent herein. The Petitioner herein filed O.S No. 75 of 2020 before the District Munsif Court, Ambur, for the relief of divorce. Now, the petitioner herein transferred to chennai and also he is living along with his aged parents. In order to maintain his old aged parents, he wants to transfer the said O.S No. 75 of 2020 pending before the District Munsif Court, Ambur to Family Court, Chennai.

4. It is settled proposition that proceedings with regard to matrimonial dispute shall be conducted only at, where, the wife is residing. Further, the suit is also ripe for trial, hence the petitioner is directed to work out his remedy before the Trial Court.

5. For the foregoing reasons, this petition is dismissed. However, the Trial Court is directed to dispose the O.S.No.75 of 2020 within a period of five months from the date of receipt of a copy of this order. No costs.

06.03.2023

Index : Yes/No
Internet : Yes/No
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To
1.The Principal District Munsif Court, Ambur.



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T.V.THAMILSELVI, J.
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