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Tr.C.M.P.No.368 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2023

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Tr.C.M.P.No.368 of 2023
and C.M.P.No. 7953 of 2023

Mrs.Auxlin Diana

... Petitioner

Vs.

Mr.Praveen Kumar

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., praying to withdraw the I.D.O.P.No.413 of 2022 of the Family Court, Cuddalore and transfer the same to the VI Additional Family Court, Chennai.

For Petitioner : Ms.P.Mahalakshmi
for Mr.J.Vincent Kumar

For Respondent : Mr.B.Mahendra Naidu

ORDER

The petitioner/wife seeks transfer of I.D.O.P.No.413 of 2022 on the file of Family Court, Cuddalore and transfer the same to the VI



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Additional Family Court, Chennai.

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2. The learned counsel for petitioner would submit that the petitioner wife seeks transfer of the proceedings on the ground that she is not able to travel from her place of residence to attend every hearings before the Family Court, Cuddalore and she also working as a teacher in Chennai. Hence, he prayed to transfer the petition.

3. Records perused. The reasons assigned by the petitioner wife is justifiable one and the fact that she is not able to travel from Chennai to attend every hearings before the Family Court, Cuddalore. Accordingly, this Transfer Civil Miscellaneous Petition is allowed and the petition in I.D.O.P.No.413 of 2022 is withdrawn from the file of Family Court, Cuddalore and transferred to the file of Family Court, Villupuram, and the learned trial judge is directed to transfer the case to the Family Court, Villupuram within a period of two weeks from the date of receipt of copy of this order. The learned Family Court, Villupuram, is also directed to take case on file within a period of one week from the date of receipt of papers and issue notice to the respondent as per manner known to law and thereafter, to dispose the case as early as possible. The petition filed by the petitioner in I.D.O.P.No.1159 of 2023 seeking restitution conjugal



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rights can also be tagged along with I.D.O.P.No.413 of 2022 on the file of Family Court, Villupuram. Hence, the learned Family Court, Chennai is directed to transfer the case in I.D.O.P.No.1159 of 2023 to the file Family Court, Villupuram and the learned Family Court, Villupuram should take the same on file and dispose of both the cases i.e., I.D.O.P.Nos.413 of 2022 and 1159 of 2023 within a period of six(6) months from the date of receipt of a copy of this order. No costs. Consequently, connected civil miscellaneous petition is closed.

15.12.2023

Index : Yes / No
Internet : Yes / No
Speaking/Non-speaking order
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To

1. The Family Court, Chennai.
2. The Family Court, Cuddalore.
3. The Family Court, Villupuram.



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T.V.THAMILSELVI, J.

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