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Tr.C.M.P.No.597 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

Tr.C.M.P.No.597 of 2022 and
C.M.P.No.10327 of 2022

Malavika @ Merlin

.. Petitioner

vs

S.Mosses

.. Respondent

Prayer: Transfer CMP is filed under Section 24 of the Civil Procedure Code, to withdraw the case in I.D.O.P.No.68 of 2022 from the file of the Principal District Court, Tiruvallur and transfer the same to the file of the Family Court at Chennai.

For Petitioner : Mr.S.Santhoshkumar

For Respondent : Insufficient Address

ORDER

The transfer petition is filed to withdraw the case in I.D.O.P.No.68 of 2022 from the file of the Principal District Court, Tiruvallur and transfer the same to the file of the Family Court at Chennai.

2. The marriage between the petitioner and the respondent was solemnized on 06.10.2008 as per the Christian Rites and Customs. Both the petitioner and the respondent are living separately. The respondent filed



I.D.O.P.No.68 of 2022 for dissolution of marriage on the file of the Principal District Court at Tiruvallur.

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3. The learned counsel appearing for the petitioner states that the petitioner is unemployed and is now living along with her parents. Thus, she is not in a position to contest the divorce case filed by the respondent before the Court at Tiruvallur.

4. In view of the fact that the petitioner is unemployed, the matrimonial dispute between the parties are to be adjudicated before the Court where the wife is residing, this being the principles to be followed, the I.D.O.P.No.68 of 2022 pending on the file of the Principal District Court, Tiruvallur stands transferred to the Family Court at Chennai.

5. The Principal District Court, Tiruvallur is directed to transmit the case papers within a period of two weeks from the date of receipt of a copy of this order.

6. With these directions, the transfer petition is allowed.



Consequently, connected miscellaneous petition is closed. There will be no order as to costs.

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Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation: Yes/No
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To

1. The Principal District Court, Tiruvallur .
2. The Family Court, Chennai.



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S.M.SUBRAMANIAM, J.

(drm)

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