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Tr.C.M.P.No.626 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

Tr.C.M.P.No.626 of 2022

and

C.M.P.No.10731 of 2022

S.K.Parveen @ Parveen Banu

... Petitioner

Vs.

Mr.M.Masthan

... Respondent

Prayer: Transfer CMP is filed under Section 24 of the Civil Procedure Code, to withdraw the O.S.No.57 of 2020 from the file of the Learned II Additional Family Court, Chennai and transfer the same to the Court of the Learned Subordinate Court, Tiruttani.

For Petitioner

: Mr.S.Gowri Shankar

For Respondent

: No Appearance



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ORDER

The petition for transfer is filed to withdraw the O.S.No.57 of 2020 from the file of the II Additional Family Court, Chennai and transfer the same to the Subordinate Court, Tiruttani.

2. The marriage between the petitioner and the respondent was solemnised on 26.08.2012 as per the Muslim Rites and Customs. Due to misunderstanding the petitioner and the respondent are living separately. A female child was born from and out of wedlock between the petitioner and the respondent and now aged about 9 years. The respondent filed O.S.No.57 of 2020 before the II Additional Family Court, Chennai.

3. The learned counsel for the petitioner states that the petitioner is unemployed and she is living with her parents. She has to take care of her daughter aged about 9 years. Therefore, the petitioner is not in a position to spend, travel all along and contest the case filed by the respondent.



4. Considering the facts and circumstances, the O.S.No.57 of 2020 pending on the file of the II Additional Family Court, Chennai stands transferred to the Subordinate Court at Tiruttani forthwith. The II Additional Family Court, Chennai is directed to transmit the case papers to the Subordinate Court at Tiruttani, within a period of four (4) weeks from the date of receipt of a copy of this order.

5. With the abovesaid directions, the Transfer Civil Miscellaneous Petition stands allowed. However, there shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

05.01.2023

Jeni
Index : Yes
Neutral Citation : Yes
Speaking order : Yes

To

1.The Judge,
II Additional Family Court
Chennai.

2.The Judge,
Subordinate Court,
Tiruttani.



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S.M.SUBRAMANIAM, J.

Jeni

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