



Tr.C.M.P.No.782 of 2023 and
C.M.P.No.18943 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.11.2023

CORAM:

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

Tr.C.M.P.No. 782 of 2023

and

C.M.P.No. 18943 of 2023

K. Selvarani

... Petitioner

Vs.

J. Selvaganesh

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C., praying to withdraw the proceedings in H.M.O.P.No.4757 of 2022 now pending on the file of the VI Additional Family Court, Chennai and transfer the same to the file of the Family Court, Chengalpattu.

For Petitioner : Mr. K. Narayanan

For Respondent : Mr. A. Manoj Kumar



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ORDER

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The petitioner / wife seeks transfer of H.M.O.P.No. 4757 of 2022 pending on the file of IV Additional Family Court, Chennai to the Family Court, Chengalpattu. The petitioner / wife seeks transfer of the proceedings before the Family Court, Chengalpattu on the ground that she is living at Chengalpattu with one male child and she is not able to attend the Court hearings.

2. The learned counsel for the petitioner submits that the marriage between the respondent and the petitioner was solemnized on 01.06.2020 at Sri Megambikai Sametha Sri Meganatheeswarar Temple at Vandalur main road, Kelambakkam, Chennai, as per Hindu Rites and Customs. Out of the wedlock, one male child born to them. Further submitted that the petitioner had already filed M.C.No.30 of 2023 pending on the file of Family Court, Chengalpattu. Furthermore, she is living with two year old child along with her parents and it is difficult to attend the Court at Chennai. Hence, she prays to transfer the HMOP.No.4757 of 2022, to the Family Court, Chengalpattu.



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3. Considering the facts and circumstances and the reason assigned by the petitioner is justifiable, this Court is inclined to transfer the H.M.O.P.No. 4757 of 2022 to the Family Court, Chengalpattu.

4. In view of the above, H.M.O.P.No.4757 of 2022 is withdrawn from the file of the VI Additional Family Court, Chennai and transferred to the file of the Family Court, Chengalpattu to be disposed of in accordance with law and the VI Additional Family Court, Chennai is directed to send entire records to the Family Court, Chengalpattu, within a period of two weeks from the date of receipt of a copy of this order.

5. Accordingly, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.



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6. However, the Family Court, Chengalpattu is directed to issue notice to the respondent and then proceed with the matter as early as possible, preferably within a period of six months from the date of this order.

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Index : Yes / No

Neutral Citation: Yes / No

AT



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T.V.THAMILSELVI, J.

AT

To

1. The VI Additional Family Court, Chennai
2. The Family Court, Chengalpattu.

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