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Tr.CMP.No.662 of 2023 and
CMP.No.16478 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2023

CORAM:

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

Tr.C.M.P.No.662 of 2023

and

CMP.No.16478 of 2023

V.Teenu

...

Petitioner

Vs.

K.Rajasekaran

...

Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., praying to withdraw F.C.O.P.No.197 of 2023 before the Family Court, Chengalpettu and transfer the same to the file of the Family Court, Trichy.

For Petitioner : Mr.S.Parthasarathy

For Respondent : No appearance

ORDER

The Transfer Civil Miscellaneous Petition has been filed to withdraw F.C.O.P.No.197 of 2023 before the Family Court, Chengalpettu and transfer the same to the Family Court, Trichy.



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2.The learned counsel appearing for the petitioner/wife submitted that the marriage between the petitioner and the respondent was solemnized on 29.06.2015 at Hotel Ajanta, Trichy near Central Bus Stand as per Hindu Rites and Customs. Through the wedlock, the petitioner have one male child namely Kavin. Due to misunderstanding between them, they separated. The child was admitted in SAS Vidyalaya School, Trichy For LKG, for which, the respondent did not pay any fee and her father, being a pensioner, could not afford for school fees. Thereafter, the petitioner filed a case in D.V.C.No.96 of 2021 before the District Magistrate, Additional Mahila Court, Trichy for maintenance and as a counter blast, the respondent preferred a case in F.C.O.P.No.197 of 2023 before the Family Court, Chengalpettu for divorce on the ground of cruelty and desertion. Now the petitioner is residing at her parental house at Trichy along with her 5 years old child and the distance between Trichy and Chengalpettu is 600kms, hence, she finds it very difficult to attend each and every hearing of the case before the Family Court, Chengalpettu. Hence, she prays to transfer the case in F.C.O.P.No.197 of 2023 to the Family Court, Trichy.



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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 F.C.O.P.No.197 of 2023 from the file of the Family Court, Chengalpettu to the Family Court, Trichy.

4. In view of the above, F.C.O.P.No.197 of 2023 is withdrawn from the file of the Family Court, Chengalpettu and transferred to the file of Family Court, Trichy. The Family Court, Chengalpettu is directed to send entire records to the Family Court, Trichy, within a period of two weeks from the date of receipt of a copy of this order and the learned Family Court, Trichy is directed to issue notice to the respondent and dispose of the case as early as possible, preferably within a period of three months from the date of this order.

5. Accordingly, this Transfer Civil Miscellaneous Petition is allowed.

No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No

Neutral Citation: Yes / No

Speaking/Non-speaking order
sms

22.11.2023

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T.V.THAMILSELVI, J.

sms

To

1.The Family Court, Chengalpettu.

2.The Family Court, Trichy.

Tr.C.M.P.No.662 of 2023

and

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22.11.2023