



WEB COPY

Tr.C.M.P.No.1174 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

Tr.C.M.P.No.1174 of 2022

and

C.M.P.No.20053 of 2022

M.Karthick

... Petitioner

Vs.

J.Jayanthi

... Respondent

Prayer: Transfer CMP is filed under Section 24 of the Civil Procedure Code, to withdraw the H.M.O.P.No.156 of 2022 pending on the file of Sub Court, Thiruvottriyur, to transfer the Family Court at Chennai.

For Petitioner : Mrs.S.Sofia Madhavhi

For Respondent : Mr.R.Balasubramanian



ORDER

The petition for transfer is filed to withdraw the H.M.O.P.No.156 of 2022 pending on the file of Sub Court, Thiruvottriyur and transfer the same to the Family Court at Chennai.

2. The marriage between the petitioner and the respondent was solemnized on 09.02.2015 as per Hindu Rites and Customs. Due to misunderstanding the petitioner and the respondent are living separately. The respondent filed H.M.O.P.No.156 of 2022 before the Sub Court, Thiruvottriyur

3. The learned counsel for the petitioner states that petitioner and the respondent are working at Chennai. Therefore, the case is to be transferred to Family Court at Chennai.

4. The learned counsel for the respondent objected the said contention by stating that the respondent / wife is residing at her parents residence and the transfer is being unnecessary in view of the fact that Thiruvottriyur is also falling under the jurisdiction of Greater Chennai.



5. However, non-transfer of the case from Thiruvottriyur to Chennai, makes no inconvenience to the petitioner and therefore, there is no acceptable reasons for the purpose of transferring the case from Sub Court, Thiruvottriyur to the Family Court, Chennai.

6. Accordingly, the Transfer Civil Miscellaneous Petition stands dismissed. However, there shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

31.01.2023

Jeni
Index : Yes
Speaking order
Neutral Citation: Yes

To

1.The Judge,
Sub Court,
Thiruvottriyur.

2.The Judge,
Family Court,
Chennai.



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S.M.SUBRAMANIAM, J.

Jeni

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