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Tr.C.M.P.No. 990 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.10.2023

CORAM:

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

Tr.C.M.P.No. 990 of 2023

and

C.M.P.No. 23746 of 2023

M.Shashirekha,
D/o. Mathiyalagan

... Petitioner

Vs.

P.Vinoth,
S/o. Prabakaran

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., praying to withdraw the proceedings in HMOP.No. 1259 of 2023 pending on the file of the Principal Family Court at Coimbatore and transfer the same to the file of the Hon'ble Sub-Court, Tenkasi for disposal.

For Petitioner

: Mr.M.Nirmal Kumar



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ORDER

The petitioner/wife seeks transfer of H.M.O.P.No.1259 of 2023 pending on the file of Principal Family Court, Coimbatore to Sub-Court, Tenkasi to be tried along with D.V.C.No.25 of 2023 filed by her before the Judicial Magistrate at Senkottai.

2. The petitioner wife seeks transfer of the proceedings before the Sub Court, Tenkasi on the ground that she was forcibly sent out from the matrimonial home and living with her parents at Tenkasi along with a minor child. She has already initiated D.V.C. proceedings before the Judicial Magistrate, Senkottai. So, she is unable to travel without any source of income and she has to take care of minor child. Hence, she filed the present Tr.C.M.P.

3. The reasons assigned by the petitioner wife is justifiable one and the fact that without any source of income, she is living with her parents along with minor child at Tenkasi. Accordingly, this Transfer Civil Miscellaneous Petition is allowed and the petition in H.M.O.P.No.1259 of



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2023 is withdrawn from the file of the Principal Family Court, Coimbatore and transferred to the file of Sub-Court, Tenkasi, to be tried along with D.V.C.No.25 of 2023. The learned Principal Family Judge, Coimbatore is directed to send the papers to Sub-Court, Tenkasi within a period of two weeks from the date of receipt of copy of this order. The learned Sub-Judge, Tenkasi is also directed to take case on file within period of one week from the date of receipt of papers and issue notice to the respondent as per manner known to law and thereafter, to dispose the case as early as possible. No costs. Consequently, connected civil miscellaneous petition is closed.

20.10.2023

Index : Yes / No
Internet : Yes / No
Speaking/Non-speaking order
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To

1. Principal Family Judge,
Principal Family Court, Coimbatore.
2. Sub-Judge,
Sub-Court, Tenkasi.

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T.V.THAMILSELVI, J.

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