



Tr.C.M.P.No.1006 of 2023 and
C.M.P.No.24285 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.11.2023

CORAM:

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

Tr.C.M.P.No. 1006 of 2023
and
C.M.P.No. 24285 of 2023

B.G. Rekha

... Petitioner

Vs.

Karthick Kumar

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C., praying to withdraw the H.M.O.P.No. 1053 of 2023 on the file of the Subordinate Court, Ambattur, Tiruvallur District and to transfer the same to the IV Family Court, Chennai.

For Petitioner : Mr. A. Dilliraj



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ORDER

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The petitioner / wife seeks transfer of H.M.O.P.No. 1053 of 2023 pending on the file of Subordinate Court, Ambattur, Tiruvallur District to the IV Family Court, Chennai. The petitioner / wife seeks transfer of the proceedings before the IV Family Court, Chennai on the ground that she is living with three months old baby 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 10.06.2022 at Ganesh Mahal, Maduravoyal, Chennai, as per Hindu Rites and Customs. Out of the wedlock, one female child born to them. Further submitted that the petitioner had already filed M.C.No.544 of 2023 pending on the file of IV Additional Family Court, Chennai and the first hearing is coming on 11.12.2023. Furthermore, she is living with 3 months old baby along with her parents and it is difficult to attend the Court at Ambattur. Hence, she prays to transfer the HMOP.No.1053 of 2023, to the IV Additional Family



Court, Chennai.

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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.1053 of 2023 to the IV Additional Family Court, Chennai.

4. In view of the above, H.M.O.P.No.1053 of 2023 is withdrawn from the file of the Subordinate Court, Ambattur and transferred to the file of the IV Additional Family Court, Chennai try along with M.C.No.544 of 2023 to be disposed of in accordance with law and the Subordinate Court, Ambattur is directed to send entire records to the IV Additional Family Court, Chennai, 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 IV Additional Family Court, Chennai 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.

01.11.2023

Index : Yes / No

Neutral Citation: Yes / No

AT

To

1. The Subordinate Court, Ambattur.
2. The IV Additional Family Court, Chennai.



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T.V.THAMILSELVI, J.

AT

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