



Tr.C.M.P.No.1117 of 2023
and C.M.P.No.26797 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2023

CORAM:

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

Tr.C.M.P.No. 1117 of 2023
and
C.M.P.No. 26797 of 2023

A.P.K. Sharavanan

... Petitioner

Vs.

1.S. Rekha

2.Minor. Vedesh Kanna

... Respondents

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C., praying to withdraw the M.C.No.1 of 2023 on the file of the Judicial Magistrate at Arni and transfer the same to the Judicial Magistrate, Kancheepuram.

For Petitioner : Mr. P. Krishnan

ORDER

The revision petitioner is the husband who filed a petition to transfer the M.C.No.1 of 2023 pending on the file of Judicial Magistrate, Arni to the Judicial Magistrate, Kancheepuram.

2. The learned counsel for the petitioner submits that already as per



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the direction of this Court in Tr.C.M.P.No.886 of 2017 filed by the wife, was transferred from Sub Court, Arani to Sub Court, Kancheepuram.

Therefore, as on date, before the Sub Court, Kancheepuram, the restitution petition filed by the wife as well the divorce petition filed by the husband is pending. Now the wife initiated proceeding for maintenance at Judicial Magistrate, Arani. Learned counsel submits that after consent of both parties, the earlier proceeding was transferred to Sub Court, Kancheepuram.

3. Since at the consent of both parties, earlier matter was transferred to Sub Court, Kancheepuram, now if the MC proceeds in Arani, then the petitioner will put to much hardship. To avoid multiplicity of proceeding and for the sake of convenience of both parties, this Court is inclined to transfer the M.C.No.1 of 2023 to the Judicial Magistrate, Kancheepuram.

4. In view of the above, M.C.No.1 of 2023 is withdrawn from the file of the Judicial Magistrate, Arni and transferred to the file of Judicial Magistrate, Kancheepuram to be disposed of in accordance with law and the Judicial Magistrate, Arni is directed to send entire records to the Judicial



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Magistrate, Kancheepuram, 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.

6. However, the Judicial Magistrate, Kancheepuram is directed to issue notice to the respondent and then proceed with the matter as early as possible, from the date of this order.

12.12.2023

Index : Yes / No

Neutral Citation: Yes / No

AT

To

1. The Judicial Magistrate, Arni.

2. The Judicial Magistrate, Kancheepuram.



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T.V.THAMILSELVI, J.

AT

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