



Tr CMP.No.38 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.11.2024

CORAM

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr CMP.No.38 of 2024 &
CMP.No.979 of 2024

A.Sofia Rani : Petitioner

versus

1.S.PremAnand
2.S.Thearasal
3.S.Thomas
4.T.Kumari
5.A.Saral : Respondents

Prayer: Petition filed under Section 24 of the Code of Civil Procedure to withdraw the petition in DVC.No.3 of 2022 from the file of the Judicial Magistrate Court, Gingee and transfer the same to the file of the Metropolitan Magistrate Court, No.XIV, Egmore.

For Petitioner : Ms.E.Akila

For Respondent : Mr.Sudhakar
for Mr.D.Edwin Youvan Raj



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ORDER

I have heard Ms.E.Akila and Sudhakar for the respective parties.

2. The petitioner is the wife and the respondent is the husband. The relationship between the parties is not in dispute. They solemnised their wedding under the Christian Rites and Customs on 27.05.2018. From the wedlock, a female child was born on 23.07.2019. Thereafter, due to disputes and differences, the parties have separated.

3. The petitioner/wife has initiated DVC.No.3 of 2022 on the file of the learned Judicial Magistrate, Gingee. Since she is not in a position to stay in her mother's house, she shifted her residence to Chintadripet at Chennai. Hence she seeks transfer of proceedings from Gingee to Chennai. In addition, she has also filed a maintenance petition in M.C.No.5 of 2024 on the file of the Family Court, Chennai.



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4. Notice was ordered. The respondent has entered appearance through a counsel.

5. The distance between Gingee to Chennai is about 180 kms. As the petitioner has shifted her residence to Chennai, she would have to travel only for the purpose of prosecuting the case. She is taking care of her child who is aged about three years. Hence, she is not in a position to leave the child at Chennai and travel to Gingee for the purpose of prosecuting the litigation.

6. Taking into consideration the convenience of the wife, DVC.No.3 of 2022 on the file of the Judicial Magistrate, Gingee is withdrawn and is transferred to the file of the Metropolitan Magistrate Court No.XIV, Egmore.

7. With the above direction, this transfer petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

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Index : Yes/No
Speaking Order/Non speaking order
Neutral Citation : Yes/No



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V.LAKSHMINARAYANAN, J.

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To

- 1.The Judicial Magistrate, Gingee
2. The Metropolitan Magistrate Court No.XIV, Egmore

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