



Tr.CMP.No.251 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2024

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Tr.CMP.No.251 of 2024
and C.M.P.No.5367 of 2024

C.V.Christiyana Joshiba

... Petitioner

Vs.

Suresh P.S.Shajin

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code to withdraw and transfer M.C.No.3 of 2024 from the file of the Family Court, Nagercoil at Kanyakumari to the Family Court, Chennai.

For Petitioner : Mr.Jerry V.V.Sundar

For Respondent : No appearance

ORDER

This Transfer Civil Miscellaneous Petition is filed to withdraw and transfer M.C.No.3 of 2024 from the file of the Family Court, Nagercoil at Kanyakumari to the Family Court, Chennai.



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2.The petitioner, estranged wife of the respondent/husband filed a maintenance case in M.C.No.3 of 2024 before the Family Court, Nagercoil at Kanyakumari. Earlier, this Court transferred I.D.O.P.No.496 of 2023 filed by the respondent/husband seeking restitution of conjugal rights from the file of the Family Court, Nagercoil at Kanyakumari to the Family Court, Chennai vide order dated 10.01.2024 in Tr.CMP.No.1038 of 2023. The petitioner/wife filed I.D.O.P.No.485 of 2023 before the Family Court, Nagercoil at Kanyakumari seeking divorce on the ground of cruelty which was thereafter transferred to the Family Court, Chennai by this Court vide order dated 16.10.2023 in Tr.CMP.No.1001 of 2023. Both I.D.O.P.No.485 of 2023 and I.D.O.P.No.496 of 2023 are now pending before the Family Court, Chennai.

3.The learned counsel for the petitioner submits that both I.D.O.P.No.485 of 2023 and I.D.O.P.No.496 of 2023 are now pending before the II Additional Family Court, Chennai.

4.Considering the submissions made and on perusal of the materials,



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it is seen that both I.D.O.P.No.485 of 2023 and I.D.O.P.No.496 of 2023 are now pending before the II Additional Family Court, Chennai. In view of the same, it will be convenient for both the parties and for the Court to have a holistic consideration of the cases. Further, it is seen that the respondent/husband had no serious objection when the earlier I.D.O.P.No.496 of 2023 was transferred from the Family Court, Nagercoil at Kanyakumari to the Family Court, Chennai. Hence, this Court is inclined to withdraw and transfer M.C.No.3 of 2024 from the file of the Family Court, Nagercoil at Kanyakumari to the file of the II Additional Family Court, Chennai.

5.Accordingly, the Transfer Civil Miscellaneous Petition is allowed.

No costs. Consequently, connected Civil Miscellaneous Petition is closed.

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Index:Yes/No
Speaking Order: Yes/No
Neutral Citation: Yes/No
cse

M.NIRMAL KUMAR, J.



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To

- 1.The Family Court,
Nagercoil at Kanyakumari.
- 2.The II Additional Family Court,
Chennai.

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