



Tr.C.M.P. No. 360 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2024

CORAM

THE HON'BLE MR. JUSTICE V. LAKSHMINARAYANAN

Tr.C.M.P. No. 360 of 2024

&

C.M.P. No. 7584 of 2024

P. Pavithra

..Petitioner

Vs.

Ayyappan

..Respondent

Prayer: Transfer C.M.P. filed under Section 24 of Code of Civil Procedure to pass an order to withdraw and transfer H.M.O.P. No. 108 of 2023 on the file of Principal Sub Court, Villupuram to the file of IV Additional Family Court, Chennai.

For Petitioner :: Ms.G. Kiruthika

For Respondent :: Mr.V. Vargees Amalraja

ORDER



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The respondent/husband has initiated proceedings before the Sub Court, Villupuram in H.M.O.P. No. 108 of 2023. This was after the petitioner/wife had filed M.C. No. 54 of 2023 seeking maintenance before the IV Additional Family Court, Chennai.

2. The marriage between the petitioner and the respondent was solemnized on 10.11.2021 and out of the wedlock, a child was born on 08.09.2022. The child is about a year old now. Therefore, it will be difficult for the respondent/wife either to travel along with the child or leave the child behind at Chennai and travel to Villupuram for the purpose of attending the hearing. Considering the fact that the respondent/husband has not honoured the order passed in M.C. No. 54 of 2023 granting interim maintenance, and also the fact that he has initiated the divorce proceedings only after having been served in the maintenance proceedings at Chennai, this Court is inclined to withdraw H.M.O.P. No. 108 of 2023 from the file of learned II Additional Sub Judge, Villupuram and transfer the same to the file of Family Court, Chennai.

3. Accordingly, the transfer C.M.P. stands allowed. No costs.



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Connected C.M.P. is closed.

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nv

To

1. The II Addl. Sub Court,
Villupuram.
2. The Family Court, Chennai.

V. LAKSHMINARAYANAN,J.

nv

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