



Tr.CMP.No.453 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.CMP.No.453 of 2023

and

C.M.P.No.10245 of 2023

S.Priyakrishnan

.. Petitioner

Vs.

Kiruthika

.. Respondent

Prayer : The Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the complaint in D.V.C.No.4 of 2020 from the file of the Judicial Magistrate No.2, Chidambaram and transfer the same to the file of the Chief Judicial Magistrate, Pondicherry.

For Petitioner : M/s.I Abrar Mohamed Abdullah

For Respondent : Mr.A.Shanmugham

ORDER

This Transfer Civil Miscellaneous Petition has been filed seeking transfer of proceedings in D.V.C.No.4 of 2020 which is now pending on the



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file of the Judicial Magistrate No.II at Chidambaram to the file of the Chief
Judicial Magistrate at Puducherry.

2. The petitioner is the husband and the respondent is the wife. Both of them have been knocking on available Courts for the purpose of separation. The wife has presented the proceeding in D.V.C.No.4 of 2020 on the file of the Judicial Magistrate No.II at Chidambaram. Prior to this dispute, a Transfer Civil Miscellaneous Petition has been moved before this Court in Tr.C.M.P.Nos.110 and 420 of 2020. These petitions have been filed seeking transfer of divorce and restitution proceedings to the Family Court at Puducherry. By an order dated 04.12.2020, these cases were transferred to the file of the Family Court at Puducherry.

3. Both the parties are not in the country and they are litigating through their respective Powers of Attorney. Taking into consideration that the Powers of Attorney are all already traveling to Puducherry and the interest of justice requires that all the proceedings are transferred to one place, the proceeding in D.V.C.No.4 of 2020 is withdrawn from the file of the Judicial Magistrate No.II at Chidambaram and it shall stand transferred



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to the file of the Chief Judicial Magistrate at Puducherry. The learned Chief Judicial Magistrate at Puducherry shall accommodate the parties and give a date which coincides with the date of the proceedings before the Family Court at Puducherry.

4. With the above direction, the Transfer Civil Miscellaneous Petition stands allowed. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

17.04.2024

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Index:Yes/No

Speaking Order :Yes/No

Neutral Citation:Yes/No



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V. LAKSHMINARAYANAN, J.

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To

1.The Judicial Magistrate No.II,
Chidambaram

2.The Chief Judicial Magistrate,
Puducherry

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and

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