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Tr.C.M.P. No. 695 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.09.2024

CORAM

THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

Tr.C.M.P. No. 695 of 2024

and

C.M.P. No. 14890 of 2024

D.Vinoth

... Petitioner / Respondent

Vs.

1. S.Gowsalya

2. Minor V.Pragathy

3. Minor V.Varshini

Respondents 2 and 3 are represented
by their natural guardian mother
respondent no.1

... Respondents/ Petitioners

PRAYER: Transfer Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, 1908, to withdraw the case in M.C. No. 3 of 2022 pending on the file of Judicial Magistrate Court, Ambattur and to transfer the same to the file of I Additional Family Court, Chennai.

For Petitioner : Mr. A.Manojkumar

For Respondents : Mr. D.Gopinathan

ORDER

This transfer petition has been filed seeking transfer of M.C. No. 3 of 2022 from the file of the learned Judicial Magistrate Court at Ambattur to the file of the I Additional Family Court at Chennai.



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2. This is predicated on the fact that the husband has initiated H.M.O.P. No. 3876 of 2023 on the file of the I Additional Family Court at Chennai. A perusal of the papers shows that the wife was first of the block initiating M.C. No. 3 of 2022 before the Judicial Magistrate Court at Ambattur. Both the petitioner as well as the respondent are said to be residents of Chennai – 600 062 which is closer to the Courts at Ambattur than the Courts at Chennai. Therefore, the transfer petition is allowed but not as prayed for the petitioner. M.C. No. 3 of 2022 will continue to be on the file of the Judicial Magistrate Court at Ambattur. H.M.O.P. No. 3876 of 2023 is withdrawn from the file of the I Additional Family Court at Chennai and transferred to the file of the Subordinate Court at Ambattur.

3. In the result, the transfer civil miscellaneous petition is ordered as above. No costs. Consequently, the connected miscellaneous petition is closed.

06.09.2024

Index : Yes/No
Speaking order : Yes/No
NCC : Yes/No
pal



Tr.C.M.P. No. 695 of 2027

To

1. Judicial Magistrate Court, Ambattur.
2. I Additional Family Court, Chennai.
3. The Subordinate Court, Ambattur.



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V.LAKSHMINARAYANAN, J.,

pal

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