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Tr. C.M.P.No.723 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.11.2024

CORAM

THE HON'BLE MR.JUSTICE **V.LAKSHMINARAYANAN**

Tr. C.M.P.No.723 of 2024

and

C.M.P.No.15661 of 2024

1.N.Vijayashree

2. S.Shreeshivani

... Petitioners

versus

S.T.Sundar Babu

... Respondent

Prayer: Petition filed under Section 24 of the Code of Civil Procedure to withdraw and transfer O.S.No.173 of 2022 pending on the file of the V Additional Family Court, Chennai to the file of the Judicial Magistrate cum District Munsif Court, Pallavaram.

For Petitioners : Mr.Kothandaraman

For Respondent : Mr.K.Naveen Prabu



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ORDER

This Transfer Petition seeks for withdrawal of O.S.No.173 of 2022 now pending on the file of the V Additional Family Court at Chennai, to the file of the Judicial Magistrate cum District Munsif at Pallavaram.

2. The relationship between the parties is admitted. The first petitioner is the wife and the second petitioner is the daughter of the sole respondent. They presented O.S.No.173 of 2022 seeking for maintenance. Pleading that, it is extremely inconvenient for the wife to travel from Pallavaram to Chennai and therefore moved this petition. She also pointed out that the child is now studying in The Green Earth Public School at Kundrathur.

3. Notice was issued in the transfer. The respondent has been served. He has entered appearance through the learned counsel Mr.Naveen Prabu.

4. Heard Mr.Kothandaraman, learned counsel appearing for the petitioners and Mr.K.Naveen Prabu, learned counsel appearing for the



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respondent.

5. I cannot transfer the suit to the Munsif Court, since the pecuniary jurisdiction of the suit is higher than that can be dealt with by a District Munsif. The suit value being Rs.12,00,000.00 it has to be tried by a District Court. Pallavaram and Chengalpattu are not separated by considerable distance.

6. Taking into consideration the fact that, the child is studying in Kundrathur and the wife is staying in Pallavaram, O.S.No.173 of 2022 is withdrawn from the file of the V Additional Family Court, Chennai and is transferred to the file of the District Court at Chengalpattu.

7. With the above direction, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

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ssi
Index : Yes/No

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

To

- 1.The V Additional Family Judge, Chennai.
- 2.The Judicial Magistrate cum District Munsif, Pallavaram.



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V.LAKSHMINARAYANAN, J.

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