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Tr.C.M.P. No.719 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 23.08.2024

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THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

**Tr.C.M.P. No.719 of 2024
and C.M.P.No.15644 of 2024**

Kanchana

... Petitioner

Vs.

Ruthirakotty

... Respondent

PRAYER: Transfer Petition filed under Section 24 of Civil Procedure Code to withdraw H.M.O.P.No.118 of 2023 pending on the file of the Sub Court, Madurantakam, and to transfer the same to the file of the Principal Family Court, Chennai.

For the Petitioner : Ms.K.Vijayalakshmi
for Mr.T.Arockia Dass

ORDER

The petitioner is the wife. She married the respondent on 02.09.2018. On 13.07.2020, she developed medical complications during her pregnancy. She delivered a baby girl on 15.07.2020 and on account of the complications that arose at the time of delivery, she had developed health problems and has been bed ridden for the past 2 ½ years.



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2. She states that the respondent-husband abandoned her at her father's house and has not been taking care of her at all. She has initiated proceedings for restitution of conjugal rights in H.M.O.P.No.4072 of 2023 before the Additional Family Court at Chennai. Thereafter, she has been served with summons in the proceedings initiated by the respondent in H.M.O.P.No.118 of 2023 on the file of the Sub Court, Madurantagam. Stating she is suffering from severe physical ailments and is unable to travel from Chennai to Madurantagam, she has filed the transfer petition.

3. This Court had issued notice to the respondent on 05.08.2024. The respondent had been served, but he has not entered appearance.

4. Considering the allegations in paragraph No.8 of the affidavit filed in support of this petition, I am inclined to accept the transfer. The proceedings in H.M.O.P.No.118 of 2023 is withdrawn from the file of the Sub Court, Madurantakam and transferred to the file of the Family Court, Chennai. The proceeding shall be heard and disposed along with H.M.O.P.No.4072 of 2023 pending on the file of the Family Court, Chennai.



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5. With the above directions, this Transfer Civil Miscellaneous Petition stands allowed. No costs. Consequently, the connected miscellaneous petition is closed.

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Index : Yes / No

Internet : Yes / No

Speaking order / Non-speaking order

Neutral citation : Yes / No

To

1.The Judge

Family Court, Chennai.

2.The Sub Judge

Sub Court, Madurantakam.



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V.LAKSHMINARAYANAN, J.,

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