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Tr.C.M.P.No.696 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2024

CORAM

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

Tr.C.M.P.No.696 of 2023

and

C.M.P.No.16921 of 2023

1.U.Sabesan Balamurugan

2.T.K.Udaya Shankar

3.M.Mythili

... Petitioners

Vs

V.Janani

... Respondent

Prayer : Petition filed under Section 24 of the Code of Civil Procedure praying to withdraw DVC.No.23 of 2023 on the file of the Additional Mahila Judge (Magistrate Level) at Chengalpattu and to transfer the same to the file of VI Additional Family Court, Chennai to be heard and decided along with H.M.O.P.No.5246 of 2022 and M.C.No.654 of 2022 on the file of the VI Additional Family Court Judge at Chennai.

For Petitioners : Mr.P.Uma

For Respondent : Dr.S.S.Swaminathan

ORDER

The husband and wife are already litigating before the Family Court in H.M.O.P.No.5246 of 2022 and M.C.No.654 of 2022. The matters are pending before the VI Additional Family Court at Chennai.



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2. After these proceedings have been initiated, the wife has presented D.V.C.No.23 of 2023 before the Additional Mahila Judge (Magistrate Level) at Chengalpattu.

3. Ms.Uma for the petitioners would submit that the 2nd petitioner T.K.Udaya Shankar is seriously affected with cancer and he is not in a position to come from Chennai to Chengalpattu. The 1st petitioner is the son and the 2nd and 3rd petitioners are his parents.

4. Dr.S.S.Swaminathan appeared for the wife submits that he has no objection for the transfer of the proceedings from Chengalpattu to Chennai.

5. In the light of the above circumstances, the proceedings in DVC.No.23 of 2023 are withdrawn from the file of the Additional Mahila Judge (Magistrate Level) at Chengalpattu and transferred to the file of the VI Additional Family Court at Chennai to be tried and heard along with H.M.O.P.No.5246 of 2022 and M.C.No.654 of 2022.



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6. Accordingly, the Tr.C.M.P. is allowed. No costs. Consequently, connected miscellaneous petition is closed.

05.04.2024

Index : Yes/No
Neutral Citation : Yes/No
Sgl

To

- 1.The Additional Mahila Judge
(Magistrate Level),
Chengalpattu.
- 2.The VI Additional Family Court,
Chennai.



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V. LAKSHMINARAYANAN, J.

Sgl

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