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Tr.C.M.P.No.724 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.04.2024

Coram

THE HON'BLE MR JUSTICE V. LAKSHMINARAYANAN

Tr.C.M.P.No.724 of 2023 &
C.M.P.No.17521 of 2023

R.Akshaya

... Petitioner

-Versus-

V.B.Gokul

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure to withdraw the H.M.O.P.No.1912 of 2023 pending on the file of IV Additional Family Court, Chennai and transfer and along with H.M.O.P.No.130 of 2023 on the file of the Sub Court, Tambaram.

For Petitioner : *Mr.S.Nedunchezian for*
Mr.M.Murali

For Respondent : *Mr.J.Kanikkainathan*

ORDER

The wife has initiated the proceedings in H.M.O.P.No.130 of 2023 on the file of the Sub Court at Tambaram for restitution of conjugal rights.

2. In the meantime, the husband has filed an application to declare the marriage as null and void in HMOP.No.1912 of 2023 on the file of the IVth



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Additional Family Court at Chennai.

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3. The wife has moved this transfer petition pleading

(i) inconvenience to travel and

(ii) for the matter to be heard together along with her petition for restitution of conjugal rights.

4. While Madambakkam is far from Chennai, since a proceeding is already pending before the learned Subordinate Judge at Tambaram, I am inclined to withdraw HMOP.No.1912 of 2023 from the file of the IVth Additional Family Court at Chennai and transfer the same to the file of the learned Subordinate Judge at Tambaram to be heard and disposed of along with HMOP.No.130 of 2023.

5. With the above direction, this transfer civil miscellaneous petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

08.04.2024

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Index : yes / no

Neutral Citation : yes / no

Speaking / Non Speaking Order



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To

- 1.The IV Additional Family Court, Chennai
- 2.The Sub Court,Tambaram



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V.LAKSHMINARAYANAN, J.

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