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Tr.CMP.,No.840 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.04.2024

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

Tr.CMP.No.840 of 2023

and CMP.No.20248 of 2023

Sangeetha W/o. Shanmuga Sundaram

... Petitioner

VS

Shanmuga Sundaram

.. Respondent

PRAYER:- The Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure to withdraw H.M.O.P. No.288 of 2023 pending on the file of the Family Court, Puducherry and transfer the same to the file of the Sub Court, Poonamallee.

For Petitioner : Mr. D. Padmanabhan

For Respondent : Mr. M. Damodarakrishnan

ORDER

The petition has been filed to withdraw H.M.O.P. No.288 of 2023 pending on the file of the Family Court, Puducherry and transfer the same to the file of the Sub Court, Poonamallee.



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2. Heard Mr. D. Padmanabhan, learned counsel appearing for the petitioner and Mr. M. Damodarakrishnan, learned counsel appearing for the respondent.

3. The petitioner is the wife. Respondent is the husband. From the wedlock, a girl child was born on 21.09.2018. The wife has filed a petition seeking maintenance for herself and her child in M.C. No.6 of 2021 on the file of learned Judicial Magistrate No.II, Tiruvallur. After service of summons, the husband has initiated fresh proceedings before the Family Court at Puducherry in H.M.O.P. No.288 of 2023. The wife, being unable to travel from Tiruvallur to Puducherry, seeks transfer of the said proceedings to the file of the learned Subordinate Judge, Poonamallee. Both the sides concede that the matter is now pending before the Mediation Centre, Poonamallee. Considering the fact that there is a child from the marriage and that it is a female child aged 5 years, I am inclined to transfer the case from Puducherry to Poonamallee.

4. Accordingly, the transfer Civil Miscellaneous Petition is allowed. The H.M.O.P. No.288 of 2023 pending on the file of the



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Family Court, Puducherry is withdrawn and transferred to the file of the Sub Court, Poonamallee. No costs. The connected miscellaneous petition is closed.

04.04.2024

Index:Yes/No
Speaking order/Non-speaking order
Neutral Citation:Yes/No
mjs

To

1. The Family Court, Puducherry
2. The Sub Court, Poonamallee.



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V. LAKSHMINARAYANAN,J.

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