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Tr.C.M.P.No.920 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.C.M.P.No.920 of 2023
and C.M.P.No.21923 of 2023

Soundarya

... Petitioner

Vs.

Parthiban @ Taittel

... Respondent

PRAYER: The Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, to withdraw the proceedings in I.D.O.P.No.51 of 2023 before the Family Court, Sivagangai and transfer the same to be tried in M.C.No.156 of 2023 on the file of the Additional Family Court, Coimbatore.

For the Petitioner : Mr.S.Ramesh

For the Respondent : Notice served – No appearance

ORDER

This Transfer Civil Miscellaneous Petition has been filed to withdraw the proceedings in I.D.O.P.No.51 of 2023 before the Family Court, Sivagangai and transfer the same to be tried with M.C.No.156 of 2023 on the



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file of the Additional Family Court, Coimbatore.

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2. The petitioner and the respondent got married on 29.05.2019 at Sivagangai. From the wedlock a male child was born. Due to disputes and differences, the parties are before the Court. The respondent has initiated the proceedings in I.D.O.P.No.51 of 2023 before the Family Court, Sivagangai. The petitioner having returned to her parental home initiated M.C.No.156 of 2023 before the Additional Family Court, Coimbatore. As the petitioner is resident of Coimbatore, she finds it difficult to travel to Sivagangai, for the purpose of attending the Court hearings. Hence, she pleads transfer of original petition on the ground of physical and financial inability to contest the proceedings at Sivagangai.

3. Considering the convenience of the wife as well as taking into consideration the age of the child, the proceedings in I.D.O.P.No.51 of 2023 on the file of the Family Court, Sivagangai, is withdrawn and transferred to the file of the Additional Family Court, Coimbatore, to be tried and disposed of along with M.C.No.156 of 2023.



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4. The learned Additional Family Judge at Coimbatore, is requested not to insist on the presence of the husband for every hearing, but he shall be directed to be present only for such hearings where his presence is indispensable. On the other hearings, he may be represented through a counsel.

5. Accordingly, the Transfer Civil Miscellaneous Petition stands allowed. No costs. Consequently, the connected Civil Miscellaneous Petition is closed.

15.07.2024

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

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To

1.The Judge,
Family Court, Sivagangai.

2.The Judge
Additional Family Court, Coimbatore.



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V.LAKSHMINARAYANAN, J.

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