



WEB COPY



Tr.CMP Nos.1048 & 1049 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2024

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

TR.CMP Nos.1048 and 1049 of 2023
and C.M.P.Nos.25338 & 25340 of 2023

G.Mohana Petitioner in both petitions

-Vs-

Jayaprakash Venkatesan Respondent in both petitions

Prayer in Tr.C.M.P.No.1048 of 2023: Transfer Civil Miscellaneous Petition under Section 24 of C.P.C., to order withdrawal of H.M.O.P.No.4350 of 2021 pending on the file of the IV Additional Family Court, Chennai and transfer the same to the Hon'ble Family Court at Chengalpattu.

Prayer in Tr.C.M.P.No.1049 of 2023: Transfer Civil Miscellaneous Petition under Section 24 of C.P.C., to order withdrawal of D.V.C.No.6 of 2022 pending on the file of the Judicial Magistrate, Vandavasi and transfer the same to the Hon'ble Judicial Magistrate at Chengalpattu.

For Petitioner : Mr.M.Gnanasekar

For Respondent : Mr.S.John Josh

ORDER

The wife is the petitioner in both the petitions. She is a person who is suffering from auditory issues. She does not have the left ear from her birth. She married the



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respondent on 07.11.2013 at Arulmighu Devanatha Swamy Temple, Thiruvahindrapuram. The parties set up their matrimonial home at Chennai. Subsequently, the petitioner got a job as a Physiotherapist at Thellar Union and started working there. The respondent is a resident of Villivakkam in Chennai. Since the matrimonial issues came to a head, the respondent initiated H.M.O.P.No.4350 of 2021 on the file of the IV Additional Family Court at Chennai. The wife initiated D.V.C.No.6 of 2022 on the file of the Judicial Magistrate Court at Vandavasi. Finding it inconvenient, the wife wants both the proceedings to be transferred to Chengalpattu.

2. If the matter is transferred to Chengalpattu, to travel from Villivakkam to that area might put the husband at trouble. However, there is a Sub-Court at Tambaram and Judicial Magistrate Court No.II is situated therein. Therefore, I am inclined to withdraw D.V.C.No.6 of 2022 from the file of the Judicial Magistrate at Vandavasi and transfer the same to the file of the Magistrate Court at Tambaram. Similarly, H.M.O.P.No.4350 of 2021 pending on the file of the IV Additional Family Court at Chennai is withdrawn and transferred to the file of the Subordinate Court at Tambaram. With the above directions, both the Transfer C.M.Ps. are allowed. No costs. Consequently, connected miscellaneous petitions are closed.

08.04.2024

Index : Yes/No

Neutral Citation : Yes/No

KST



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To

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- 1.The Judge
IV Additional Family Court, Chennai.
- 2.The Judicial Magistrate
Vandavasi.
- 3.The Judicial Magistrate No.II
Tambaram.
- 4.The Subordinate Judge
Tambaram.



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V. LAKSHMINARAYANAN, J.
KST

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