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Tr.CMP.No.1177 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.CMP.No.1177 of 2023

and

C.M.P.No.28141 of 2023

M.Bhuvaneswari

.. Petitioner

Vs.

C.Ravi

.. Respondent

Prayer : The Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceeding in F.C.O.P.No.156 of 2023 on the file of the Family Court at Ariyalur, Ariyalur District and transfer the same to the file of the learned Subordinate Judge at Sirkali, Mayiladuthurai District to be heard along with H.M.O.P.No.276 of 2023.

For Petitioner : Mr.R.Silambarasan

For Respondent : Served, No Appearance

ORDER

The marriage between the petitioner and the respondent was solemnized on 07.02.2016 at Ayyappaannaicken pettai in Ariyalur District.

2. The respondent/husband is the resident of Udayarpalayam. While



Tr.CMP.No.1177 of 2023

the petitioner/wife is the resident of Thoduvai Village in Mayiladuthurai District.

3. The petitioner/wife is working as a Deputy Block Development Officer at Sirkali. The parties developed differences, allegedly, because the respondent/husband is addicted to liquor. This resulted in filing of the police complaint before the All Women Police Station at Jayamkondam.

4. Thereafter, the husband has initiated proceeding in F.C.O.P.No.156 of 2023 seeking restitution of conjugal rights. Alleging that she cannot live with her husband, the petitioner/wife has initiated proceeding for divorce in H.M.O.P.No.276 of 2023 before the Sub Court at Sirkali.

5. I feel that there should not be conflict of judgments between the two Courts. Furthermore, the petitioner/wife is said to be a visually challenged person.

6. Taking into consideration these two circumstances, I am inclined to



Tr.CMP.No.1177 of 2023

accept this transfer petition. Hence, the proceeding in F.C.O.P.No.156 of 2023 pending on the file of the Family Court at Ariyalur is withdrawn and it shall stand transferred to the file of the Sub Court at Sirkali to be heard and disposed of along with H.M.O.P.No.276 of 2023.

7. Accordingly, the Transfer Civil Miscellaneous Petition stands allowed. No costs. The connected Civil Miscellaneous Petition is closed.

14.06.2024

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Index:Yes/No

Speaking Order :Yes/No

Neutral Citation:Yes/No



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Tr.CMP.No.1177 of 2023

V. LAKSHMINARAYANAN, J.

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To

1.The Family Court,
Ariyalur

2.The Sub Court,
Sirkali

Tr.CMP.No.1177 of 2023

and

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