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TR CMP No.1199 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:26.02.2024

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

TR CMP No.1191 of 2023

Mrs.A.Praveena

... Petitioner

Vs.

Mr.C.Sathkuru

...Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, 1908 to withdraw O.P.No.593 of 2023 from the file of the learned Family Court Judge, Erode and transfer the same to the file of the learned Sub Judge at Ambattur, Chennai.

For Petitioner : Ms.A.Praveena

For Respondent : No appearance

ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw O.P.No.593 of 2023 from the file of the learned Family Court Judge, Erode and transfer the same to the file of the learned Sub Judge at Ambattur, Chennai.



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2. There is no representation for the respondent.

3. Learned counsel for the petitioner submits that the petitioner is living with her aged parents in Ambattur, Chennai, after separation from her husband. The respondent husband has filed a petition in OP No.593 of 2023 on the file of the learned Family Court Judge at Erode seeking divorce. He further submits that the distance between Erode and Ambattur, Chennai is 400 Kilometres. Therefore, it is very difficult for the petitioner wife to attend the divorce proceedings in the Family Court, Erode. Hence, he seeks for a direction to withdraw O.P.No.593 of 2023 from the file of the learned Family Court Judge, Erode and transfer the same to the file of the learned Sub Judge at Ambattur,

4. Considering the grounds raised in the affidavit filed by the petitioner and the submissions made by the learned counsel for the petitioner, OP No.593 of 2023 pending on the file of the Learned Family Court Judge, Erode is hereby directed to be withdrawn and transferred to the



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Learned Sub Judge at Ambattur, Chennai. Learned Family Court Judge, Erode is directed to send the entire records to the Learned Sub Judge at Ambattur, Chennai, within a period of two weeks from the date of receipt of a copy of this order and on receiving the same, the Learned Sub Judge at Ambattur, Chennai, is directed to issue notice to both parties and thereafter, dispose of the case on merits as early as possible.

5. With the above direction, the Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, CMP No.28603 of 2023 is closed.

26.02.2024

Index: Yes/No
Internet: Yes/No
mrn

To
1. The Family Court Judge, Erode
2. The Sub Judge at Ambattur, Chennai.



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V.SIVAGNANAM, J.,

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