



Tr.C.M.P.(MD).No.9 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 16.02.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Tr.C.M.P.(MD).No.9 of 2024
and C.M.P.(MD).No.198 of 2024

Naomi Dulcie Fiona

... Petitioner/Respondent

Vs.

John Jeya Prakash

... Respondent/Petitioner

PRAYER : Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, to withdraw D.O.P.No.428 of 2023 on the file of the Family Court, Thoothukudi and transfer the same to the file of the Family Court, Trichy to be tried along with M.C.No.89 of 2023 on the file of the Family Court, Trichy.

For Petitioner : Mr.T.Leninkumar

For Respondent : Mr.S.Muthumalairaja

ORDER

This petition has been filed to withdraw D.O.P.No.428 of 2023 on the file of the Family Court, Thoothukudi and transfer the same to the file



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of the Family Court, Trichy to be tried along with M.C.No.89 of 2023 on the file of the Family Court, Trichy.

2.The facts in brief:

The marriage was solemnized between the parties on 19.10.2015. Out of their wedlock, she became pregnant, but, it was aborted. Thereafter, they cannot give birth to a child. Treatment was undergoing. Thereafter, citing various reasons, the respondent filed a petition in D.O.P.No.428 of 2023 before the Family Court, Thoothukudi. The petitioner is facing difficulty to travel 280 kilometers to attend the hearing at Thoothukudi. The petitioner also filed M.C.No.89 of 2023 before the Family Court, Trichy. Hence, this petition has been filed.

3.Heard the counsel on either side.

4.The respondent has no strong objection to transfer matter to the Family Court, Trichy.

5.In view of the above said submissions, D.O.P.No.428 of 2023 on



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the file of the Family Court, Thoothukudi is ordered to be withdrawn and transferred to the Family Court, Trichy to try the case along with M.C.No.89 of 2023, pending there.

6.With the above said directions, this transfer miscellaneous petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

16.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
TM

To

- 1.The Judge, Family Court, Thoothukudi.
- 2.The Judge, Family Court, Trichy.
- 3.The Section Officer,
E.R.Section/V.R.Section,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGO VAN,J.

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