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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGOVAN

Tr.C.M.P.(MD).No.414 of 2023
and C.M.P.(MD).No.8607 of 2023

Mohamed Mydeen ... Petitioner/Petitioner

Vs.

Anis Fathima ... Respondent/Respondent

PRAYER : Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, to withdraw the case in O.S.No.185 of 2022 on the file of the learned Principal District Court, Tenkasi and transfer the same to the Family Court, Chennai.

For Petitioner : Mr.A.Devaki

For Respondent : No Appearance

ORDER

This petition has been filed to withdraw the case in O.S.No.185 of 2022 on the file of the learned Principal District Court, Tenkasi and transfer the same to the Family Court, Chennai.

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2.The facts in brief:

The marriage between the parties was held on 02.01.2008. Out of the wedlock they blessed with two sons. Thereafter there was matrimonial dispute between them. Due to which the respondent filed G.W.O.P.NO.105 of 2022 before the Principal District Court, Tenkasi. The petitioner has also filed G.W.O.P.NO.127 of 2022 before the Principal District Court, Tirunelveli. In the meantime, the respondent gave police complaint before the AWPS, Tenkasi. Thereafter the petitioner filed O.S.No.185 of 2022 seeking divorce before the learned Principal District Court, Tenkasi. Now both are working at Chennai. Hence, this petition has been filed seeking transfer of the above said suit to Chennai.

3.Heard the learned counsel for the petitioner. Even though the respondent was served with notice and even repeated adjournment, none appears on behalf of her. Her name was also printed in the cause list.

4.Considering the facts and circumstances of the case and considering the fact that both are working in Chennai, the O.S.No..185 of

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2022 filed by the petitioner on the file of the Principal District Judge, Tenkasi, is ordered to be withdrawn and transferred to the Family Court, Chennai.

5.Accordingly, this transfer civil miscellaneous petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

07.03.2024

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

To

1.The Principal District Judge, Tenkasi.

2.The Judge, Family Court, Chennai.

3.The Section Officer,
E.R.Section/V.R.Section,
Madurai Bench of Madras High Court, Madurai.

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G.ILANGOVAN,J.

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