



WEB COPY

Tr.C.M.P.No.182 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :03.04.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

TR C.M.P.No.182 of 2025

and

C.M.P.No.3731 of 2025

V.Karthikeyan

... Petitioner

Vs

R.Yogapriya

... Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, praying to withdraw M.C.No.9/2022 on the file of District Munsif Cum Judicial Magistrate at Madhavaram and transfer the same to The V Additional Family Court, Chennai.

For Petitioner: Mr.Abdul Saleem

For Respondent: Served – No Appearance

ORDER

The husband who is the respondent in M.C.No.9 of 2022 on the file of the Judicial Magistrate, Madhavaram has filed this transfer petition to transfer the aforesaid proceedings from the file of the District Munsif cum



Judicial Magistrate, Madhavaram to the V Additional Family Court,
Chennai.

2. It appears that the respondent-wife has filed a petition for restitution of conjugal rights in O.P.No.5540 of 2023 before the V Additional Family Court at Chennai. Therefore, there would be no prejudice caused to the respondent if M.C.No.9 of 2022 is transferred to be tried along with O.P.No.5540 of 2023.

3. Heard the learned counsel for the petitioner and perused the materials available on record. Though the respondent/wife is served with notice, she has not appeared either in person or through counsel.

4. Therefore, considering the fact that the wife has herself chosen to file the petition for restitution of conjugal rights on the file of the V Additional Family Court, Chennai and had filed the maintenance case at Madhavaram, it would be in the interest of both parties to have the proceedings in M.C.No.9 of 2022 pending on the file of the District Munsif cum Judicial Magistrate, Madhavaram transferred to the file of the V



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Additional Family Court, Chennai to be tried along with O.P.No.5540 of 2023. Accordingly, this Tr.C.M.P is allowed. No costs. Consequently, connected miscellaneous petition is closed.

03.04.2025

Index : Yes/No

Speaking order/non-speaking order

Neutral Citation: Yes/No

srn

To,

1. The District Munsif Cum Judicial Magistrate at Madhavaram
2. The V Additional Family Court, Chennai.



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P.T.ASHA, J.,

srn

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