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Tr. CMP.No.477 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :07.03.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

Tr. CMP.No.477 of 2023

and

C.M.P.No.11093 of 2023

Tonia Sabatini

... Petitioner

Vs.

R.Wesley Daniel

... Respondent

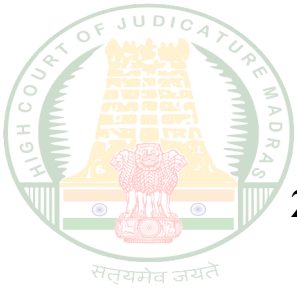
Prayer:- Transfer Petition is filed under Section 24 of the CPC to withdraw and transfer the IDOP.No.656 of 2021 on the file of the Principal District Court at Tiruvallur to District Family Court at Tanjore who is having a competent jurisdiction.

For Petitioner : M/s.P.Paul Selvam

For Respondent : M/s.L.K.Charles Alexander

ORDER

This petition has been filed to withdraw the IDOP No.656 of 2021 pending on the file of the Principal District Court, Tiruvallur and transfer the same to the District Family Court, Thanjavur.



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2. Heard the learned counsels on either side.

3. Reasons for seeking transfer :-

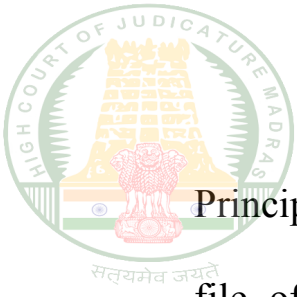
(i) A petition for restitution of conjugal rights filed by the petitioner/wife is pending before the Family Court, Thanjavur.

(ii) The respondent/husband is not providing maintenance to the petitioner/wife and their child.

(iii) The petitioner and her daughter are totally dependent on her parents.

(iv) The distance between the present residence of the petitioner/wife to the Principal District Court, Tiruvallur is more than 345 kms.

4. In the given circumstances it would be prejudicial to make the petitioner travel all the way from Thanjavur to Tiruvallur to attend the proceedings in IDOP.No.656 of 2021 more particularly when the respondent/husband has not deemed it fit to maintain the petitioner and her child. Therefore, the Transfer Civil Miscellaneous Petition is allowed and IDOP.No.656 of 2021 pending on the file of the



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Principal District Court, Tiruvallur is withdrawn and transferred to the file of the Family Court, Thanjavur. No costs. Consequently, the connected Miscellaneous Petition is closed.

07.03.2025

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

1.ThePrincipal District Court at Tiruvallur.

2.The District Family Court at Thanjavur.



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P.T. ASHA. J.,

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