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Tr.C.M.P.No.506 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-09-2025

CORAM

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

**Tr.C.M.P.No.506 of 2025
and C.M.P.No.12780 of 2025**

Emelda Mary
D/o.Antony Samy,
No.4/4, Nambi Nagar, 3rd Cross Street, Poonamallee,
Chennai 600 056.

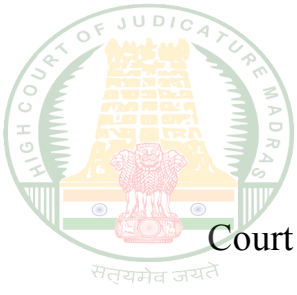
Petitioner(s)

Vs

James Arokiyaraj
S/o.Selvaraj,
Saragam Street, Kandiyam Kuppan Village,
Srimushnam Taluk, Cuddalore District.

Respondent(s)

Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C.
to withdraw and transfer the case in I.D.O.P.No.7 of 2025 from the file of
the Principal District and Sessions Court, Cuddalore, to the file of the
Principal District and Sessions Court, Tiruvallur or any other competent



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Court in Tiruvallur District.

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For Petitioner(s): Mr.G.Anbuchezeiyan

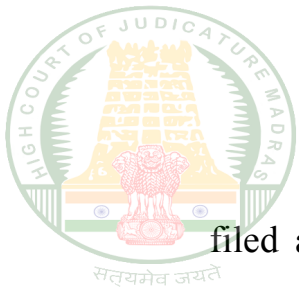
For Respondent(s): Mr.J.Selvarajan

ORDER

This petition has been filed to withdraw I.D.O.P.No.7 of 2025 from the file of the Principal District and Sessions Court, Cuddalore and to transfer the same to the file of the Principal District and Sessions Court, Tiruvallur or any other competent Court in Tiruvallur District.

2. Heard the learned counsel on both sides.

3. The learned counsel appearing for the petitioner would submit that the respondent/husband filed an application for restitution of conjugal rights before the Principal District and Sessions Court, Cuddalore and the same is pending in I.D.O.P.No.7 of 2025. The petitioner/wife has no source of income and she is living with her brother at Poonamallee. In such circumstances, she is unable to travel 350 kms up and down from Poonamallee to Cuddalore for attending the case. Further, the petitioner had



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filed a maintenance case against the respondent/husband in M.C.No.5 of 2025 before the Judicial Magistrate Court No.I, Poonamallee. Therefore, the case in I.D.O.P.No.7 of 2025 may be withdrawn from Principal District and Sessions Court, Cuddalore and transferred to the Family Court, Chennai.

4. *Per contra*, the learned counsel appearing for the respondent/husband would submit that the respondent/husband has filed an application for restitution of conjugal rights and the matter has also been referred to mediation for settlement even by the District Court, Cuddalore, as well as by this Court, but, all went in vain. He would further submit that the respondent/husband has no objection in allowing this petition.

5. I have gone through the affidavit filed in support this petition and I find merit in the submissions made by the learned counsel for the petitioner/wife.

6. In view of the above and also considering the consent given by the other side, there can be no impediment for allowing this petition as prayed for.



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WEB COPY Accordingly, this transfer civil miscellaneous petition is allowed. The case in I.D.O.P.No.7 of 2025 is hereby withdrawn from the file of the Principal District and Sessions Court, Cuddalore and transferred to the file of the Principal Family Court, Chennai. The learned Judge shall expedite the disposal of the case in I.D.O.P.No.7 of 2025. No costs. Connected C.M.P. is closed.

03-09-2025

nsd
Index:Yes/No
Speaking/Non-speaking order
Internet:Yes;
Neutral Citation:Yes/No



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To

- 1.The Principal District and Sessions Judge, Cuddalore.
- 2.The Principal Judge, Family Court, Chennai.



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M.JOTHIRAMAN J.

nsd

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