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Tr. C.M.P.No. 789 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.02.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

Tr. C.M.P.No. 789 of 2023

&

C.M.P. No. 19066 of 2023

P.Satheeswari

...Petitioner

Vs.

C.Periya Nayagan

...Respondent

Prayer: Transfer Petition is filed under Section 151 of the CPC, to withdraw HMOP.No.66 of 2023, on the file of the Sub Court, Neyveli and to transfer the same to the Family Court, Nagapattinam, to be tried along with HMOP.No.65 of 2023.

For Petitioner : Mr. R.Selvakumar

For Respondent : No Appearance.

ORDER



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The wife is the petitioner before this Court, seeking transfer of the proceedings pending on the file of the Sub Court, Neyveli, to the file of the Family Court, Nagapattinam.

2. The petitioner herein had filed HMOP.No.65 of 2023 on the file of the Family Court, Nagapattinam, for divorce against the respondent herein. The respondent herein filed HMOP.No.66 of 2023 on the file of the Sub Court, Neyveli, for restitution of conjugal rights.

3. The petitioner's contention is that she has 2 ½ year old daughter who is in her care and custody and it is not possible for her to travel to Neyveli, since the respondent has not provided maintenance to her.

4. The request of the petitioner seeking a transfer has been justified.



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5. The Transfer petition is allowed. HMOP.No.66 of 2023, pending on the file of the Sub Court, Neyveli, is withdrawn and transferred to the file of the Family Court, Nagapattinam, to be tried along with HMOP.No.65 of 2023. Consequently, the connected miscellaneous petition is closed. No costs.

04.02.2025

Index : Yes/No
Internet : Yes/No

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To

1.The Sub Court,

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Neyveli.

2.The Family Court,
Nagapattinam.

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P.T. ASHA, J,

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