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Tr.C.M.P.No.1362 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

Tr.C.M.P.No.1362 of 2024

C.M.P.No.29420 of 2024

Susan Daniel

... Petitioner

Vs.

Manoj A.Mathews

... Respondent

PRAYER: Transfer Miscellaneous Petition filed under Section 24 of C.P.C., pleaded to withdraw I.D.O.P.No.434 of 2021 on the file of the District Court, Tiruvallur, and transfer the above petition to the Family Court, Chennai.

For Petitioner : Mr.Thomas T.Jacob

For Respondent : M/s.Susanna Prabha

ORDER

The above Transfer Civil Miscellaneous Petition is filed seeking to transfer I.D.O.P.No.434 of 2021 pending on the file of the District Court,



Tiruvallur, to the file of the Family Court, Chennai.

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2.The learned counsel for the respondent has no objection to the application except for seeking a direction that the interim order of visitation which has been granted by the learned Principal District and Sessions Judge, Tiruvallur, shall be continued. In the order dated 02.12.2022, the learned Judge has ordered as follows:-

“1.The respondent is directed to produce the (1) male child, Samuel Mathews Adimathra (born on 28.11.2009) and 2)female child, Naomi Mathews Adimathra, (09.11.2018) to the petitioner at the Office of the District Legal Services Authority, Tiruvallur on the First Saturday of every month between 10.00 AM to 1.00 PM in the presence of Senior staff of District Legal Services Authority, Tiruvallur. 2.The petitioner is given liberty to interact with the children at the above place and time. 3.The respondent, at the time of the interaction of petitioner with children shall not give trouble to the petitioner and the children. 4)Both petitioner and respondent shall act with best interest of the children. 5) The petitioner and the respondent shall ensure that during the visiting hours, the children should not be subjected to any mental agony.”



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3.The Transfer Civil Miscellaneous Petition is allowed subject to the condition that the order passed by the Principal District and Sessions Court, Tiruvallur, on 02.12.2022 regarding visitation rights shall be complied with by the petitioner wife. The order dated 02.12.2022 shall be adhered to by both parties and instead of the office of the District Legal Services Authority, Tiruvallur, the venue for the meeting is shifted to the Child Care Centre of the Family Court, Chennai. The children shall be produced before the Child Care Centre of the Family Court, Chennai as directed by the Court. Accordingly, I.D.O.P.No.434 of 2021 is withdrawn from the file of the District Court, Tiruvallur, and transferred to the file of the Family Court, Chennai. No costs. Consequently, connected miscellaneous petition is closed.

20.03.2025

Index : Yes/No
Speaking Order : Yes / No
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To

- 1.The District Court, Tiruvallur.
- 2.The Family Court, Chennai.

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P.T. ASHA., J.

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