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Tr.C.M.P.No.11 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

Tr.C.M.P.No.11 of 2023

and

C.M.P.No.345 of 2023

E.Jenifer

.. Petitioner

VS

A.Franco

.. Respondent

Prayer: Transfer CMP is filed under Section 24 of the Civil Procedure Code, to order withdraw the I.D.O.P.No.703 of 2022 on the file of the Family Court at Tiruchirappalli and to transfer the same to the file of Family Court at Chennai.

For Petitioner : Mr.R.Rajadurai

For Respondent : Mr.G.Varun Gandhi
for M/s.Yes Associates

ORDER

The transfer petition is filed to withdraw the I.D.O.P.No.703 of 2022 on the file of the Family Court at Tiruchirappalli and to transfer the same to the file of Family Court at Chennai.



2. The marriage between the petitioner and the respondent was solemnized on 27.01.2021 as per the Christian Rites and Customs. Due to misunderstanding, the petitioner and the respondent are living separately. The respondent filed I.D.O.P.No.703 of 2022 for restitution of conjugal rights, now pending on the file of the Family Court, Thiruchirappalli.

3. Learned counsel for the petitioner states that the petitioner is working as a temporary lecturer in a college at Chennai and the respondent is working in Southern Railways at Vadalur. While so, she may not be in a position to travel and contest the case filed by the respondent. However, the place of the wife is preferable and to be considered for contesting matrimonial disputes.

4. Considering the facts and circumstances, I.D.O.P.No.703 of 2022 on the file of the Family Court at Tiruchirappalli stands transferred to the Family Court at Chennai.

5. The Family Court at Tiruchirappalli is directed to transmit the case



papers within a period of two weeks from the date of receipt of a copy of this order.

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6. With these directions, this transfer petition stands allowed.

Consequently, the connected miscellaneous petition is closed. There will be no order as to costs.

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation: Yes/No
drm

03.02.2023

To

1. The Family Court at Tiruchirappalli.
2. The Family Court at Chennai.



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S.M.SUBRAMANIAM, J.

(drm)

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