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TR CMP No. 115 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

**TR.C.M.PNo.115 of 2026
and C.M.P.No.2642 of 2026**

1. Sujith
S/o Karunakaran Nair,
Magishaa Apartment,
Door No S2- 2nd Floor,
Plot No.35/25, UR Nagar,
Padi,
Chennai - 600 050.

1. 2. Asha
W/o.Sujith
Magishaa Apartment,
Door No S2- 2nd Floor,
Plot No.35/25, UR Nagar,
Padi,
Chennai - 600 050.

..Petitioner(s)

Vs

R.Kavitha
D/o Ramasamy,
Block A3, Flat No TC,
3rd Floor, Jains Palm N Meadows,
Near Aishwarya Garden,
Ammapalayam,
Tiruppur - 641 652.

..Respondent(s)

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C.,
praying to order withdrawal of H.M.O.P.No.768 of 2025 pending on the file of
the Family Court, Tiruppur and the Transfer the same to Family Court, Chennai.



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For Petitioner(s): Mr.T.Shanmugam

For Respondent(s): No appearance

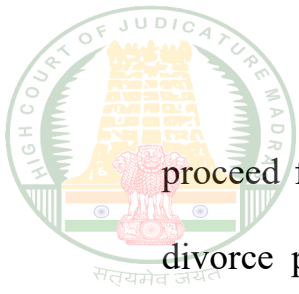
ORDER

This Transfer Civil Miscellaneous Petition has been filed to withdraw the case in H.M.O.P.No.768 of 2025 on the file of the Family Court, Tiruppur and transfer the same to the Family Court, Chennai.

2.Heard learned counsel for the petitioners and perused the materials available on record.

3.Despite the name of the respondent printed in the cause list, there is no representation.

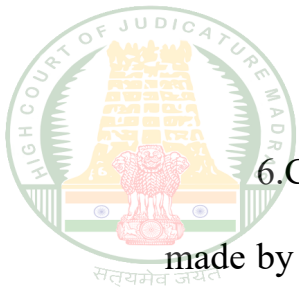
4.Learned counsel for the petitioners submits that the respondent is the 1st wife of the 1st petitioner. The marriage between the 1st petitioner and the respondent was solemnised on 13.02.2000, and two children were born out of the wedlock. Their marriage broke down irretrievably due to numerous conflicts. Consequently, they jointly filed a divorce petition by mutual consent before the Sub Court, Tiruppur, in H.M.O.P.No.33 of 2013. However, the respondent deliberately failed to appear before the Court, and the case could not



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proceed further. He further submits that the 1st petitioner subsequently filed a divorce petition in H.M.O.P.No.31 of 2017 before the Principal Sub Court, Tiruppur, seeking dissolution of the marriage. The Principal Sub Court, Tiruppur, granted the divorce on 13.12.2000. The 1st petitioner has two daughters from his 1st marriage. He further submits that the 1st petitioner is a chronic renal patient who required medical and moral support. On 11.07.2018, the 1st petitioner married the 2nd petitioner, and the marriage was registered on 12.07.2018 before the Registrar of Marriage, Guruvayur. Seven years after the marriage between the 1st and 2nd petitioners, the respondent filed the present vexatious petition seeking to declare their marriage null and void. The petitioners are permanent residents of Chennai, and both unmarried daughters reside with them. Both petitioners are currently suffering from health issues. The distance between the petitioners' residence and the Family Court, Tiruppur, is approximately 460 kms and it is extremely difficult for them to attend the Court proceedings. Therefore, he prays for the transfer of the case to the Family Court, Chennai.

5.I have gone through the affidavit filed in support of the transfer petition as well. I find merit in the submissions made by the learned counsel for the petitioners.



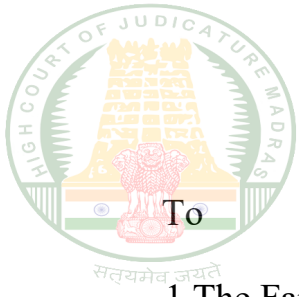
6. Considering the facts and circumstances of the case, the submissions made by the learned counsel for the petitioners, and the fact that the petitioners are suffering from health issues, this Court is inclined to transfer the case from the file of the Family Court, Tiruppur, to the file of the Family Court, Chennai. Accordingly, the case in H.M.O.P. No.768 of 2025 is hereby withdrawn from the file of the Family Court, Tiruppur, and transferred to the file of the Family Court, Chennai. Upon receipt of the case records from the Family Court, Tiruppur, the Family Court, Chennai, is directed to issue notice to the respondent within four weeks. After due service of notice, the Family Court, Chennai, is directed to proceed with the matter in accordance with the law.

7. Considering the facts and circumstances of the case, this Court is inclined to permit the respondent to appear through Video Conferencing mode before the Family Court, Chennai. However, it is made clear that the respondent shall appear in person before the Family Court, Chennai, as and when required.

8. With the above directions, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

25-06-2026

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



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To

1.The Family Court, Tiruppur.

2.The Family Court, Chennai.

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T.V.THAMILSELVI, J.

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