



Tr.C.M.P.No.408 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2022

CORAM :

THE HONOURABLE MS. JUSTICE R.N.MANJULA

Tr.C.M.P. No.408 of 2022 and
C.M.P.No.7626 of 2022

R. Revathi

... Petitioner

..Vs..

R.Rajesh

... Respondent

Prayer:- Petition is filed under Section 24 of C.P.C., to withdraw and transfer the HMOP.No.317 of 2021 pending on the file of the Family Court, Puducherry to the Family Court, Chennai.

For Petitioner : Mr.J.Selvarajan

For Respondent : Mr.E.V.Chandru



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ORDER

This petition is filed to withdraw the proceedings in H.M.O.P.No.317 of 2021 pending on the file of the Family Court, Puducherry and transfer the same to the file of the Family Court, Chennai.

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

3. The petitioner is the wife and respondent is the husband. The marriage between the petitioner and respondent was solemnized on 13.04.2014 as per Hindu Rites and Customs. Since the relationship between the couple went bitter, the Respondent/Husband filed H.M.O.P.No.317 of 2021, on the file of the Family Court, Puducherry, against the petitioner seeking divorce. Now, the petitioner herein who is the wife has preferred the present petition to withdraw H.M.O.P.No.317 of 2021 pending on the file of Family Court, Puducherry and transfer the



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same to the file of the Family Court, Chennai.

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4. The learned counsel for the petitioner submitted that the petitioner's house is situated at Chennai and she finds difficult to travel from Chennai to Puducherry for each and every hearing for attending the Court proceedings at Puducherry leaving her two minor daughters. Since she is not able to meet out the travelling expenses, she has filed this petition to transfer the proceedings pending in H.M.O.P.No.317 of 2021 on the file of the Family Court, Puducherry to the file of the Family Court, Chennai.

5. The learned counsel for the respondent/husband submitted that the petitioner/wife is residing at Porur and the respondent/husband is residing at Pondicherry and that Sub Court, Alandur is just 8 Kms from the petitioner's residence and hence instead of transferring H.M.O.P.No.317 of 2021 to Family Court, Chennai it may be transferred to the Sub Court, Alandur.



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6. The distance between the Puducherry and Chennai is 150 kms.

The respondent has stated that it will not be possible to go and attend the proceedings at Chennai. Considering the convenience of both the parties the proceedings in H.M.O.P.No.317 of 2021 on the file of the Family Court, Puducherry can be transferred to the file of Sub Court, Alandur.

7. Accordingly, the Transfer Civil Miscellaneous Petition is partly allowed. The proceedings in H.M.O.P.No.317 of 2021 filed by the respondent is ordered to be withdrawn from the file of the Family Court, Puducherry and transferred to the file of the Sub Court, Alandur. The learned Judge, Family Court, Puducherry is directed to transmit all the records pertaining to H.M.O.P.No.317 of 2021 to the file of the Sub Court, Alandur within a period of two weeks from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

10.08.2022

Speaking Order: Yes/No
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To

1.The Judge, Family Court, Puducherry.

2.The Sub Judge, Alandur



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R.N.MANJULA,J.

dpq

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