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Tr.C.M.P.No.81 of 2023
and CMP.No.1872 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2023

CORAM:

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

Tr.C.M.P.No.81 of 2023
and
CMP.No.1872 of 2023

Chitra

... Petitioner

Vs.

Seenivasan

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., praying to withdraw the H.M.O.P.No. 13 of 2020 pending on the file of the Principal Subordinate Court, Kumbakonam and transfer the same to the file of the Family Court, Puducherry

For Petitioner

: Mrs. S. Thamizharasi

ORDER

The petitioner/wife seeks transfer of O.P.No.13 of 2020 pending on the file of the Principal Subordinate Court, Kumbakonam to the Family



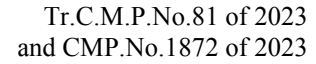
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Court, Puducherry. The petitioner /wife seeks transfer of the proceedings before the Family Court, Puducherry on the ground that she is living at Puducherry with her two children and she is not able to attend the court hearings by travelling 130 kms from Puducherry to Kumbakonam.

2. The learned counsel for the petitioner submitted that, the marriage between the respondent and the petitioner was solemnized on 27.05.2007 at Sri Vasavi Mahal Thirumana Mandapam, Ayyampettai, Thanjavur District as per Hindu rites and customs. Due to misunderstanding the respondent had filed a divorce petition in HMOP.No.13 of 2020 before the learned Principal Subordinate Court, Kumbakonam to dissolve the marriage. Now the petitioner is residing at Puducherry with her two children in her parental home. Hence, she prays to transfer the case in HMOP.No.13 of 2020 to the Family Court, Puducherry.

3. Considering the facts and circumstances and the reason assigned by the petitioner is justifiable, this Court is inclined to transfer the HMOP.No.13 of 2020 to the Family Court, Puducherry.



6. However, the Family Judge, Puducherry is directed to issue notice to the respondent and dispose of the case as early as possible, preferably within a period of three months from the date of receipt of a copy of this order.

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Index : Yes / No

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Neutral Citation: Yes / No

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T.V.THAMILSELVI, J.

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To

1. The Principal Subordinate Court, Kumbakonam
2. The Family Court, Puducherry

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