



Tr.CMP No.262 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.03.2023

CORAM :

THE HONOURABLE Mrs.JUSTICE **T.V.THAMILSELVI**

TR.CMP No.262 of 2023

and

C.M.P.No.5803 of 2023

M.Selvi

.... Petitioner

-Vs-

S.Sivakumar

.... Respondent

Prayer : Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw HMOP.No.35 of 2022 on the file of the Hon'ble Sub-Court, Thoothukudi and transfer the case to the Family Court, Chennai.

For Petitioner : Mr.V.Vargees Amal Raja

For Respondent : Mr.V.Kumar



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ORDER

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The petitioner/wife seeks transfer of HMOP.No.35 of 2022 on the file of the Sub-Court, Thoothukudi to the file of Family Court, Chennai.

2. The learned counsel for the petitioner submits that the petitioner is residing at Chennai along with her minor child. The respondent/husband filed a petition seeking for divorce before the Sub-Court, Thoothukudi. Hence, the petitioner wants to transfer the case from the file of the Sub-Court, Thoothukudi to the file of Family Court, Chennai.

3. The learned counsel for the respondent submits that the respondent herein is the practicing advocate by profession and if the matter is transferred to Chennai, he is unable to attend the hearing. If the case is conducted before the Sub-Court, Thoothukudi, there is a possibility of reunion.

4. On seeing the fact that the petitioner is living at Chennai along with her minor child and she could not travel to Thoothukudi. Hence, the reason assigned by the petitioner is justifiable. Accordingly, HMOP.No.35 of 2022



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is withdrawn from the file of the Sub-Court, Thoothukudi and transferred to the file of Family Court, Chennai, to be disposed of in accordance with law and the learned Sub Judge, Thoothukudi is directed to send entire records to the learned Family Court Judge, Chennai within a period of two(2) weeks from the date of receipt of a copy of this order.

5. Accordingly, this Tr.C.M.P.No.262 of 2023 is allowed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

31.03.2023

Index : Yes/No

Speaking Order: Yes/No
kmi

To

1.The Sub-Court,
Thoothukudi.

2.The Family Court,
Chennai.



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T.V.THAMILSELVI, J.
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