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Tr. CMP. No.769 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.10.2023

CORAM :

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

TR.CMP No.769 of 2023
and C.M.P.No.18683 of 2023

S.Saraswathi

.... Petitioner

-Vs-

R.Sivaguru

.... Respondent

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C., to withdraw HMOP.No.186 of 2017 on the file of the Family Court, Puducherry and transfer to the file of the Subordinate Court, Cuddalore for disposal in accordance with law.

For Petitioner : Mr.M.Kalaiyaran

ORDER

This petition has been filed by the petitioner seeking to withdraw the HMOP.No.186 of 2017 on the file of the Family Court, Puducherry and transfer to the Subordinate Court, Cuddalore.



2. The learned counsel for the petitioner submitted that the marriage was solemnized between the petitioner and the respondent on 01.02.2013. Further, the respondent has not interested in the marriage life and harassed the petitioner at the hands of his family members. Thereafter, the respondent filed a petition to dissolve the marriage in HMOP.No.186 of 2017 on the file of the Family, Court, Puducherry, on making false allegations against this petitioner. Thereafter, the petitioner filed a petition for restitution of conjugal relationship with the respondent in M.O.P.No.208 of 2015 before the Family Court, Puducherry. Both cases are pending before the Family Court, Puducherry without any progress. He further submitted that the petitioner is living with her parents home and it is very difficult for the petitioner to attend the court hearings at Puducherry. Hence, he prays to allow this petition.

3. Notice was issued to the respondent and the same is service awaiting..

4. Considering the facts and circumstances of the case and also the fact that the petitioner is living with her aged parents and she unable to attend the court hearing. Therefore, the reasons stated by the petitioner and the same is justifiable. Accordingly, the present Tr.C.M.P. is allowed and the HMOP.No,186



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of 2017 pending on the file of the Family Court, Puducherry, is withdrawn and transferred to the file of the Subordinate Court, Cuddalore. Consequently, connected miscellaneous petition is closed. No costs.

5. The trial Judge, Subordinate Court, Cuddalore, is directed to issue notice to the respondent/husband, within a period of two weeks from the date of receipt of a copy of this order and proceed with case as per manner known to law.

05.10.2023

Speaking / Non Speaking order

Neutral Citation : Yes/No

Index : Yes/No

msrm

To

1.The Family Court, Puducherry.

2.The Subordinate Court, Cuddalore.



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T.V.THAMILSELVI, J.

msrm

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