



Tr.C.M.P.No.1027 of 2023
and CMP.No.24829 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2023

CORAM:

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

Tr.C.M.P.No.1027 of 2023

and

CMP.No.24829 of 2023

Sivaranjani

... Petitioner

Vs.

Siranjeevi

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 151 of C.P.C., praying to withdraw the H.M.O.P.No. 78 of 2023 pending on the file of the Additional Subordinate Court, Tindivanam and transfer the same to the file of the Family Court, Cuddalore.

For Petitioner

: Mr. P.Muthukumarasamy

ORDER

The petitioner/wife seeks transfer of H.M.O.P.No.78 of 2020 pending on the file of the Additional Subordinate Court, Tindivanam to the Family



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Court, Cuddalore. The petitioner /wife seeks transfer of the proceedings before the Family Court, Cuddalore on the ground that she is living at Cuddalore with her two children in her parental home and she is not able to attend the Court hearings by travelling 70 kms from Cuddalore to Tindivanam.

2. The learned counsel for the petitioner submitted that, the marriage between the respondent and the petitioner was solemnized on 21.08.2015 at Prithi Mahal, Kottakuppam, as per Hindu rites and customs. Due to misunderstanding the respondent had filed a divorce petition in HMOP.No.78 of 2023, pending on the file of the Additional Subordinate Court, Tindivanam to dissolve the marriage. Now the petitioner is residing at Cuddalore with her two children in her parental home without any source of income. Hence, she prays to transfer the case in HMOP.No.78 of 2023 to the Family Court, Cuddalore.

3. Considering the facts and circumstances and the reason assigned by the petitioner is justifiable, this Court is inclined to transfer the



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HMOP.No.78 of 2023 to the Family Court, Cuddalore.

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4. In view of the above, H.M.O.P.No. 78 of 2023 is withdrawn from the file of the Additional Subordinate Court, Tindivanam and transferred to the file of Family Court, Cuddalore. The learned Additional Subordinate Judge, Tindivanam is directed to send entire records to the learned Family Judge, Cuddalore, within a period of two weeks from the date of receipt of a copy of this order.

5. Accordingly, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

6. However, the Family Judge, Cuddalore is directed to issue notice to the respondent and dispose of the case as early as possible as per manner known to law.

03.11.2023

Index : Yes / No

Neutral Citation: Yes / No

Speaking/Non-speaking order

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T.V.THAMILSELVI, J.

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To

1. The Family Court, Cuddalore.
2. The Additional Subordinate Court, Tindivanam.

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