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Tr.C.M.P.No.1060 of 2023 and
C.M.P.No.25555 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2023

CORAM:

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

Tr.C.M.P.No. 1060 of 2023

and

C.M.P.No. 25555 of 2023

Sindhuja

... Petitioner

Vs.

P. Dineshkumar

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C., praying to withdraw H.M.O.P.No. 138 of 2023 on the file of Subordinate Court, Gobichettipalayam to Family Court, Chennai.

For Petitioner : Mr. R. Dhanasekar

For Respondent : Mr. P. Dinesh Kumar



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ORDER

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The petitioner / wife seeks transfer of H.M.O.P.No. 138 of 2023 pending on the file of Subordinate Court, Gobichettipalayam to the Family Court, Chennai. The petitioner / wife seeks transfer of the proceedings before the Family Court, Chennai on the ground that she is living at Chennai with one male child and she is not able to attend the Court hearings by travelling 431 kms.

2. The learned counsel for the petitioner submits that the marriage between the respondent and the petitioner was solemnized on 05.09.2016 at U.P.Marriage Hall, Thiruvarur, as per Hindu Rites and Customs. Out of the wedlock, one male child born to them. Further submitted that now the petitioner is living with her parents along with her five-year-old child and it is difficult to travel nearly 431 kms to attend the Court proceedings at Gobichettipalayam. Hence, she prays to transfer the H.M.O.P.No. 138 of 2023, to the Family Court, Chennai.



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3. Considering the facts and circumstances and the reason assigned by the petitioner is justifiable, this Court is inclined to transfer the H.M.O.P.No.138 of 2023 to the Sub Court, Poonamallee.

4. In view of the above, H.M.O.P.No.138 of 2023 is withdrawn from the file of the Subordinate Court, Gobichettipalayam and transferred to the file of the Sub Court, Poonamallee to be disposed of in accordance with law and the Subordinate Court, Gobichettipalayam, is directed to send entire records to the Sub Court, Poonamallee, 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 disposed of. No costs. Consequently, connected miscellaneous petition is closed.

6. However, the Sub Court, Poonamallee is directed to issue notice to the respondent and also refer the matter to the mediation, not less than 5 sittings are suggested at the Mediation Centre, Poonamallee and then



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proceed with the matter as early as possible, preferably from the date of this
order.

24.11.2023

Index : Yes / No

Neutral Citation: Yes / No

AT

To

1. The Subordinate Court, Gobichettipalayam.

2. The Sub-Court, Poonamallee.



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T.V.THAMILSELVI, J.

AT

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C.M.P.No. 25555 of 2023

24.11.2023