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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2023

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THE HON'BLE MRS.JUSTICE T.V.THAMIL SELVI

**TR CMP.No. 1065 of 2023
and
CMP.No.25580 of 2023**

A.Retinasri

... Petitioner

Vs.

K.Singaravel

... Respondent

Prayer : Transfer Civil Miscellaneous Petition filed under Section 24 of CPC to withdraw the H.M.O.P.No.63 of 2023 pending on the file of the Sub Court, Tirupattur, Tirupattur District and transfer the same to the Court of Family Court, Thanjavur for its expeditious disposal.

For Petitioner : Mr.M.Gnansekar

For Respondent : No appearance

ORDER

The petitioner/wife seeks transfer of H.M.O.P.No.63 of 2023 pending on the file of the Sub Court, Tirupattur, Tirupattur District to the Family Court, Thanjavuri. The petitioner /wife seeks transfer of the proceedings before the Family Judge, Thanjavur on the ground that she is living at Thanjavur in her



parental home, without any source of income and she is not able to attend the Court hearings by travelling Thanjavur to Tirupattur.

2. The learned counsel for the petitioner submitted that, the marriage between the respondent and the petitioner was solemnized on 06.11.2020 as per Hindu marriage rites and customs. Due to matrimonial dispute the respondent has filed H.M.O.P.No.63 of 2023 on the file of the Sub-Court, Tirupattur, Tirupattur District to dissolve the marriage. He further submitted that the petitioner also filed M.C.No.13 of 2023 which is also pending before the Family Judge, Thanjavur. Now the petitioner is residing at Thanjavur in her parental home without any source of income. Hence, she prays to transfer the H.M.O.P.No.63 of 2023, to the file of the Family Court, Thanjavur.

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.63 of 2023 to the file of the Family Court, Thanjavur.

4. In view of the above, H.M.O.P.No. 63 of 2023 is withdrawn from the



file of the Subordinate Court, Tirupattur, Tirupattur District and transferred to the file of the Family Court, Thanjavur. The learned Subordinate Court, Tirupattur, Tirupattur District is directed to send entire records to the learned Family Judge, Thanjavur, within a period of two weeks from the date of receipt of a copy of this order.

5. Both the parties are directed to appear before the Mediation and Conciliation Centre, Thanjavur, along with their respective counsels.

6. The Mediation and Conciliation Centre, Thanjavur is directed to settle the matter not less than five sittings and report the same before the learned Family Judge, Thanjavur if any.

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

15.12.2023

Index : Yes/No

Speaking order / Non speaking order

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T.V.THAMIL SELVI, J.

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To

1. The Sub Court, Tirupattur, Tirupattur District .
2. The Family Court, Thanjavur.

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