



WEB COPY



TR.CMP(MD)No.755 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

TR.CMP(MD)No.755 of 2022

and

C.M.P(MD)No.12156 of 2022

Selvaveni

... Petitioner

Vs

S.Kumar

... Respondent

Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C, to withdraw the above HMOP.No.2 of 2022 on the file of the Subordinate Court, Nanguneri and transfer the same to the Family Court, Chennai.

For Petitioner : Mr.A.Mohamed Hashim

ORDER

This Transfer Civil Miscellaneous Petition is filed seeking transfer of the case in HMOP.No.2 of 2022 from Subordinate Court, Nanguneri to Family Court, Chennai.



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2.The petitioner / wife has filed this application. The petitioner claims that the marriage between the petitioner and the respondent was solemnised on 13.01.2013 and they are having two male children of tender age. Due to misunderstanding between them, the respondent / husband has filed a petition for divorce in HMOP.No.2 of 2022 before the Subordinate Court, Nanguneri, which is now sought to be transferred to Family Court, Chennai on the ground that she is working as a Constable at Chennai and therefore it is difficult for her to appear before the Court at Nanguneri.

3.The learned Counsel for the petitioner submits that since the petitioner is working as Constable in the Tamil Nadu Uniformed Services at Chennai, she is unable to attend the Court for every hearing and therefore, prays for allowing this petition.

4.The respondent / husband has filed a petition seeking divorce before the Sub Court, Nanguneri and



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hence, the presence of the parties for every hearing before Sub Court is not required and she can defend the case through Advocate. Therefore this Court is not inclined to entertain this petition. Accordingly this transfer civil miscellaneous petition stands dismissed. No costs. Consequently connected miscellaneous petition stands dismissed.

06.01.2023

Index: Yes/No

To

The Sub Judge,
Nanguneri.



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B. PUGALENDHI, J.

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