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Tr.C.M.P.No.28 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.04.2024

Coram

THE HON'BLE MR JUSTICE V. LAKSHMINARAYANAN

Tr.C.M.P.No.28 of 2024 &
C.M.P.No.761 of 2024

R.Sakthipriya

... Petitioner

-Versus-

T.Sudharsan

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure to withdraw OP.No.788 of 2023 pending on the file of the Family Court at Salem and transfer the same to the Family Court at Madurai.

For Petitioner : Mr.R.Karthick

For Respondent : Mr.A.V.Arun

ORDER

The petitioner and the respondent were married on 25.04.2018 at Salem. From the wedlock, two children were born on 02.04.2021 and 12.04.2022. Due to a certain matrimonial differences, the husband has initiated a divorce proceeding in OP.No.788 of 2023 before the learned Family Judge at Salem.

2. The petitioner is residing along with her parents at Madurai and pleads her inability to travel from Madurai to Salem to attend every hearing.



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3. The learned counsel for the respondent submits that the distance between Madurai and Salem is not so considerable that the matter deserves a transfer.

4. Taking into consideration the convenience of the wife and the fact that there are two children from the wedding to care for, OP.No.788 of 2023 is withdrawn from the file of the Family Court at Salem and is transferred to the file of the Family Court at Madurai

5. The presence of the husband need not be insisted upon by the court for every hearing. It is sufficient if he is present at every essential hearing. On all other non-essential or procedural hearings, he will be represented through a counsel.

6. With the aforesaid directions, this transfer civil miscellaneous petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

24.04.2024

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Index : yes / no

Neutral Citation : yes / no

Speaking / Non Speaking Order



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To
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- 1.The Family Court at Salem
- 2.The Family Court at Madurai



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V.LAKSHMINARAYANAN, J.

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