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Tr.C.M.P.No.138 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2024

CORAM :

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.C.M.P.No.138 of 2024

and

C.M.P.No.2809 of 2024

N.Arumugam

... Petitioner

Vs.

M.Poorani

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, 1908, to withdraw H.M.O.P.No.135 of 2021 pending on the file of the Family Court, Pondicherry and transfer the same to the file of the Family Court, Chengalpattu to be heard and decided along with F.C.O.P.No.342 of 2023 on the file of the Family Court, Chengalpattu.

For Petitioner : Mr.S.Namasivayam

For Respondent : Ms.S.Kanmani Annamalai

ORDER

This transfer petition has been filed seeking transfer of the proceeding in H.M.O.P.No.135 of 2021 from the file of the Family Court, Pondicherry to the file of the Family Court, Chengalpattu to be tried along with F.C.O.P.No.342 of 2023.

2. The petitioner and the respondent got married on 29.10.2018 at



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Pakkamudayanpet, Pondicherry. There were no children from the marriage.

Thereafter, disputes have arisen between the petitioner and the respondent. The petitioner has filed matrimonial proceeding in H.M.O.P.No.135 of 2021 before the Family Court, Pondicherry.

3. The respondent, who is a permanent resident of Pondicherry, has secured an employment within the jurisdiction of the Court at Chengalpattu, and has filed F.C.O.P.No.342 of 2023 before the Family Court, Chengalpattu.

4. Since both the parties want divorce and in order to avoid conflicting judgments, it is better that the cases are heard by one Court. Hence, the proceeding in H.M.O.P.No.135 of 2021 which is now pending before the Family Court, Pondicherry is withdrawn and it shall stand transferred to the file of the Family Court, Chengalpattu, to be heard and tried along with F.C.O.P.No.342 of 2023. It is made clear that since the petitioner is residing in United States of America (USA), his presence shall not be insisted upon by the Family Court, Chengalpattu for every hearing unless and until his presence is indispensable. Otherwise, he shall appear through Video Conferencing. On all other hearings, he may be represented through a counsel.

5. In the light of the above, this Transfer Civil Miscellaneous Petition is



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allowed. No costs. Connected Civil Miscellaneous Petition is closed.

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Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation : Yes/No
arb

To

- 1.The Family Court,
Pondicherry.
- 2.The Family Court,
Chengalpattu.

V. LAKSHMINARAYANAN, J.

arb



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