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Tr.C.M.P. No. 323 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2024

CORAM

THE HON'BLE MR. JUSTICE V. LAKSHMINARAYANAN

TR.C.M.P. No. 323 of 2024

&

C.M.P. No. 6591 of 2024

Mr.M. Jibin

..Petitioner

Vs.

Mrs. Sangeetha

..Respondent

Prayer: Transfer C.M.P. filed under Section 24 of Code of Civil Procedure to order withdrawal of I.D.O.P. No. 49 of 2023 from the file of Hon'ble Principal District Judge, Thiruvannamalai and transfer the same to the file of Hon'ble Principal Judge, Chenglepattu.

For Petitioner :: Mr.R. Ganesh Kumar

For Respondent :: Ms.V. Akshaya for
M/s.Regalwhiz Law

Chambers

ORDER



Tr.C.M.P. No. 323 of 2024

WEB COPY

The petitioner/husband is a resident of Vandavasi, Tiruvannamalai District and the respondent/wife is a permanent resident of Villupuram. The petitioner and the respondent entered into matrimony on 26.04.2021. According to the petitioner, right from the inception of marriage, the respondent has been living separately. As the efforts of the petitioner for reunion proved futile, he filed a petition for divorce in I.D.O.P. NO. 49 of 2023 before the Principal District Judge, Tiruvannamalai. On coming to know that the respondent/wife has secured employment in Sholinganallur, the petitioner/husband now seeks transfer of the said I.D.O.P. from the file of Principal District Judge, Tiruvannamalai to the file of Principal Judge, Chenglepattu.

2. Even assuming that the respondent/wife has secured employment in Sholinganallur, at best, it can only be a transitory place of residence when admittedly, the permanent place of residence of the respondent is at Villupuram, which is not very far away from Tiruvannamalai. Therefore, considering the interest of both parties, this



Tr.C.M.P. No. 323 of 2024

Court is inclined to withdraw I.D.O.P. No. 49 of 2023 from the file of learned Principal District Judge, Tiruvannamalai and transfer the same to the file of learned Principal District Judge, Villupuram.

3. It is made clear that the learned Principal District Judge, Villupuram, need not insist upon the appearance of the respondent/wife for every hearing. Suffice if the respondent/wife appears for those hearings, where her presence is indispensable. For all other hearings, the respondent/wife shall be represented by her counsel.

V. LAKSHMINARAYANAN,J.

nv

4. With the above direction, the transfer C.M.P. stands allowed.
No costs. Connected C.M.P. is closed.

30.04.2024

nv

To

1. The Principal District Judge,

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Tr.C.M.P. No. 323 of 2024

Tiruvannamalai.

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2. The Principal District Judge,
Villupuram.

Tr.C.M.P. No. 323 of 2024