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Tr.CMP No.388 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 08.04.2024**

**CORAM :**

**THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN**

**TR.CMP No.388 of 2023**  
**and C.M.P.No.8426 of 2023**

Dr.Anusha J .... Petitioner

-Vs-

Dr.Mahendranatha SP .... Respondent

Prayer : Transfer Civil Miscellaneous Petition under Section 24 of C.P.C., to withdraw HMOP No.372 of 2022 on the file of the Family Court, Pondicherry to transfer the same to Family Court at Cuddalore.

For Petitioner : Mr.R.R.Pradheep

For Respondent : Mr.A.Damodaran

**ORDER**

H.M.O.P.No.372 of 2022 was filed by the respondent before the Family Court at Pondicherry. This was presented on 20.06.2022. The hearing was scheduled on 09.08.2022. After having received the summons in the said proceeding, the wife proceeded to file H.M.O.P.No.60 of 2023 on the file of the Family Court at Cuddalore. After having filed the second petition, the wife has moved this transfer petition to transfer the case from Pondicherry to Cuddalore. It is accepted by both sides that the husband is not staying in Pondicherry any more nor is the wife staying in Cuddalore.



Tr.CMP No.388 of 2023

The husband has moved on to a neighbouring State and the wife has now positioned herself at Coimbatore. Therefore, the interest of the wife does not loom large any more. Considering the fact H.M.O.P.No.372 of 2022 was initiated by the husband first, H.M.O.P.No.60 of 2023 is withdrawn from the file of the Family Court, Cuddalore and transferred to the file of the Family Court at Pondicherry.

2. Both the petitioner and the respondent are practising doctors. Therefore, the learned Family Judge at Pondicherry is requested not to insist on personal appearance of the husband or the wife unless and until their presence is inevitable. For procedural hearings, the parties may be represented through a counsel.

3. With the above direction, the Transfer C.M.P. is allowed. The proceedings in H.M.O.P.No.60 of 2023 on the file of the Family Court, Cuddalore is withdrawn and transferred to the Family Court at Pondicherry to be heard and tried along with H.M.O.P.No.372 of 2022. No costs. Consequently, connected miscellaneous petition is closed.

**08.04.2024**

Index : Yes/No

Neutral Citation : Yes/No

KST



To

1.The Family Judge, Pondicherry

2.The Family Judge, Cuddalore.



Tr.CMP No.388 of 2020

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*Tr.CMP No.388 of 2023*

**V. LAKSHMINARAYANAN, J.**  
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**TR.CMP No.388 of 2023**

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