



WEB COPY



Tr.CMP.No.708 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.09.2024

CORAM

THE HON'BLE **MR.JUSTICE V.LAKSHMINARAYANAN**

Tr.CMP.No.708 of 2024
and CMP No.15336 of 2024

P.Kiruthiga

... Petitioner

Vs.

S.A.Rajkumar

... Respondent

Prayer: Petition filed under Section 24 of the Code of Civil Procedure, praying to withdraw and transfer the HMOP No.32 of 2024 on the file of Sub Court, Avinashi to Family Court, Salem.

For Petitioner

:Mr.S.Kumaran

For Respondent

: No Appearance

ORDER

This Transfer Civil Miscellaneous Petition is at the instance of the wife. She seeks to withdraw and transfer the HMOP No.32 of 2024 on the file of Sub Court, Avinashi to Family Court, Salem.

2. The marriage between the petitioner and the respondent was



Tr.CMP.No.708 of 2024

solemnised on 26.01.2023 at Avinashi. Due to disputes and differences, the parties have separated. The husband has initiated the proceedings for divorce before the Sub Court at Avinashi in HMOP No.32 of 2024. The wife pleads that she is a resident of Salem and she is dependent on her father for her sustenance. She states that she is not able to travel the distance of Salem to Avinashi. Hence, the transfer.

3. Notice was ordered to the respondent in the transfer petition on 24.07.2024. Though the respondent was served on 02.08.2024, he has not appeared in person or through his counsel to oppose the petition.

4. I heard Mr.S.Kumaran, counsel for the petitioner.

5. Taking into consideration the fact that the wife is a permanent resident of Salem and finds it difficult to travel from Salem to Avinashi, HMOP No. 32 of 2024 is withdrawn from the Sub Court, Avinashi and transferred to the Family Court at Salem. It is made clear that the Judge at Family Court, Salem, need not insist upon the respondent to appear for every hearing except for the essential hearings. The respondent shall be present only for such hearings when his appearance is indispensable. For



Tr.CMP.No.708 of 2024

all other hearings, the respondent shall be represented by a counsel.

WEB COPY

6. With the above direction, the Transfer Civil Miscellaneous Petition stands allowed. No Costs. Consequently, the connected Civil Miscellaneous Petition is closed.

27.09.2024

Speaking / Non Speaking order

Index : Yes / No

Neutral Citation: Yes/No

ars

To

1. The Sub Court,
Avinashi.

2. The Family Court,
Salem.



WEB COPY



Tr.CMP.No.708 of 2024



WEB COPY



Tr.CMP.No.708 of 2024

V.LAKSHMINARAYANAN, J.

ars

Tr.CMP.No.708 of 2024

27.09.2024