



WEB COPY



Tr.CMP.No.551 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.CMP.No.551 of 2023

and

C.M.P.No.12993 of 2023

M.G.Pavithra

.. Petitioner

Vs.

Vignesh Chinnappa

.. Respondent

Prayer : The Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceeding in H.M.O.P.No.1172 of 2022 on the file of the Family Court at Madurai and transfer the same to the file of the Sub Court at Tambaram.

For Petitioner : Mr.Benoy Augustine

For Respondent : Served, No Appearance

ORDER

The petitioner before me is the wife. She married the respondent on 09.09.2022.



Tr.CMP.No.551 of 2023

2. Due to disputes and differences, the husband left the matrimonial home at Salem, and has been residing separately since then. The husband, who is the resident of Madurai, has initiated the proceeding for a declaration that the marriage is a nullity in H.M.O.P.No.1172 of 2022 on the file of the Family Court at Madurai.

3. The petitioner/wife pleads that she is working at Infosys in Chennai, and is residing at Perumbakkam. She would plead that she finds it difficult to travel from Chennai to Madurai for every hearing. In addition, she would plead that the husband is also working at Chennai, and therefore, in fitness of things the matter may be transferred to the file of the learned Subordinate Judge at Tambaram to give assistance to both the parties.

4. Notice was ordered in the transfer petition on 28.06.2023. Despite service of notice, the husband has neither entered appearance through a counsel nor is he present in-person to oppose this transfer petition.

5. Taking into consideration the fact that the wife and the husband are



Tr.CMP.No.551 of 2023

currently residing at Chennai, and the distance between Chennai and Madurai is considerable, requiring sometimes an overnight journey, I am inclined to allow this transfer petition.

6. Hence, the proceeding in H.M.O.P.No.1172 of 2022 pending on the file of the Family Court at Madurai is withdrawn and it shall stand transferred to the file of the Sub Court at Tambaram.

7. Accordingly, the Transfer Civil Miscellaneous Petition stands allowed. No costs. The connected Civil Miscellaneous Petition is closed.

09.07.2024

mkn2

Index:Yes/No

Speaking Order :Yes/No

Neutral Citation:Yes/No

V. LAKSHMINARAYANAN, J.



WEB COPY



Tr.CMP.No.551 of 2023

mkn2

To

1.The Family Court,
Madurai

2.The Sub Court,
Tambaram

Tr.CMP.No.551 of 2023

and

C.M.P.No.12993 of 2023

09.07.2024