



Tr.CMP.No.474 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.CMP.No.474 of 2023

and

C.M.P.No.10834 of 2023

Radhai

.. Petitioner

Vs.

Sankar

.. Respondent

Prayer : The Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw and transfer the case in F.C.O.P.No.69 of 2023 on the file of the Family Court at Thiruvannamalai and to try along with H.M.O.P.No.140 of 2022 on the file of the Family Court at Cuddalore.

For Petitioner : Mr.S.C.Vishwanth

For Respondent : Mr.R.Sreedhar

ORDER

The wife is the petitioner before this Court. She has initiated H.M.O.P.No.140 of 2022 on the file of the Family Court at Cuddalore to declare that the alleged marriage that took place between her and the



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respondent on 16.03.2022 is null and void.

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2. After having received notice in the said proceeding, the respondent/husband proceeded to file F.C.O.P.No.69 of 2023 on the file of the Family Court at Thiruvannamalai for restitution of conjugal rights.

3. The wife pleads that in order to travel to Thiruvannamalai and back, she will have to travel a distance of nearly 220 Kms. She pleads her inability as she has no assistance to travel this distance.

4. Taking into consideration that the husband has initiated the proceeding after having appeared before the Family Court at Thiruvannamalai and also keeping in mind the fact that the wife pleads her inability to travel the aforesaid distance, I am inclined to allow this transfer petition.

5. Hence, the proceeding in F.C.O.P.No.69 of 2023 pending on the file of the Family Court at Thiruvannamalai is withdrawn and it shall stand transferred to the file of the Family Court at Cuddalore to be tried and heard



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along with H.M.O.P.No.140 of 2022 in order to avoid conflicting judgments.

6. It is sufficient if the husband appears only for the essential hearings. For the non-essential and procedural hearings, he may be represented by a counsel.

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

24.04.2024

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Index:Yes/No

Speaking Order :Yes/No

Neutral Citation:Yes/No



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V. LAKSHMINARAYANAN, J.

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To

1.The Family Court,
Thiruvannamalai

2.The Family Court,
Cuddalore

Tr.CMP.No.474 of 2023

and

C.M.P.No.10834 of 2023

24.04.2024