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Tr.CMP.No.912 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.CMP.No.912 of 2023

and

C.M.P.No.21812 of 2023

Suganthi

.. Petitioner

Vs.

Iyyappan

.. 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.325 of 2022 pending on the file of the Family Court at Cuddalore and transfer the same to the file of the Family Court at Tiruvallur.

For Petitioner : Mr.B.Gopalakrishnan

ORDER

The petitioner is the wife and she is the resident of Thiruverkadu. She married the respondent on 22.02.2014 at Sri Nagakanniamman Putru Thirukovil at Thiruverkadu.

2. From the wedlock, two children were born. Due to differences between the parties, the petitioner states that she was driven out of her



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matrimonial home and she is currently residing with her parents at Thiruverkadu.

3. In the meantime, the husband has initiated the proceeding for divorce in H.M.O.P.No.325 of 2022 on the file of the learned Family Judge at Cuddalore. Pleading inability to travel a distance of 380 Kms to and fro, the petitioner has moved this transfer petition.

4. The husband, though served with the summons in the application, has not entered appearance through a counsel nor is he present in-person to oppose this application.

5. Taking into consideration the fact that the wife is unable to travel the considerable distance between Thiruverkadu and Cuddalore, I am inclined to allow this transfer petition.

6. Hence, the proceeding in H.M.O.P.No.325 of 2022 pending on the file of the Family Court at Cuddalore is withdrawn and it shall stand



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transferred to the file of the Sub Court at Poonamallee.

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

07.06.2024

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Index:Yes/No

Speaking Order :Yes/No

Neutral Citation:Yes/No

V. LAKSHMINARAYANAN, J.

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To

1.The Family Court,
Cuddalore

2.The Sub Court,
Poonamallee

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and
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