



Tr.C.M.P.No.573 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2024

Coram

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Transfer Civil Miscellaneous Petition No.573 of 2024

and

C.M.P.No.12535 of 2024

Kanchana

..... Petitioner

-Versus-

Vaithiyanathan @ Suresh

..... Respondent

Petition filed under Section 24 of the Code of Civil Procedure, praying to withdraw the case in H.M.O.P.No.72 of 2024 pending on the file of the Principal Subordinate Court, Kallakurichi, and to transfer the same to the file of the Family Court, Chennai.

For Petitioner : Mr.V.Sakkarapani

For Respondent : No Appearance

ORDER

This Transfer Miscellaneous Petition seeks transfer of the case in H.M.O.P.No.72 of 2024 pending on the file of the Principal Subordinate Court,



Tr.C.M.P.No.573 of 2024

Kallakurichi, to the file of the Family Court, Chennai.

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2. The petitioner is the wife. She married the respondent on 02.09.2019.

Due to disputes and differences, the parties have separated. The respondent/husband has initiated a proceeding in H.M.O.P.No.72 of 2024 on the file of the learned Principal Subordinate Judge, Kallakurichi, for divorce.

3. Pleading that she is unable to travel a distance of 200 kms from Dharmapuri to Kallakurichi, the petitioner/wife has presented the present transfer petition.

4. Notice was ordered in this transfer petition on 26.06.2024. The respondent though served through court and privately, he has not entered appearance through a counsel nor is present in person to oppose the petition.

5. Taking into consideration the convenience of the petitioner/wife, more particularly, considerable distance between Dharmapuri and Kallakurichi, I am inclined to accept the transfer petition. Accordingly, the case in H.M.O.P.No.72 of 2024 pending on the file of the Principal Subordinate Judge, Kallakurichi, is withdrawn and transferred to the file of the Family Court, Dharmapuri.

6. It is made clear that the Judge, Family Court, Dharmapuri, need not



Tr.C.M.P.No.573 of 2024

insist upon the respondent to appear for every hearing except the essential hearing. For non-essential or procedural hearings, he may be represented through a counsel.

With the above directions, this transfer civil miscellaneous petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

Index : yes / no
Neutral Citation : yes / no
Speaking / Non Speaking Order
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20..09..2024

To

- 1.The Principal Subordinate Judge, Kallakurichi, Villupuram District.*
- 2.The Judge, Family Court,Dharmapuri, Dharmapuri District.*



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Tr.C.M.P.No.573 of 2024

V.LAKSHMINARAYANAN.J.,

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Tr.C.M.P.No.573 of 2024

20..09..2024