



Tr.CMP.No.562 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 17.04.2024**

CORAM

**THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN**

**Tr.CMP.No.562 of 2023**

**and**

**C.M.P.No.13595 of 2023**

T.Abarna

.. Petitioner

Vs.

M.Rajkumar

.. Respondent

**Prayer** : The Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw H.M.O.P.No.34 of 2023 pending before the Sub Court at Perundurai and transfer the same to the file of the Principal Family Court at Chennai to be heard along with H.M.O.P.No.1510 of 2023.

For Petitioner : M/s.R.Balambigai Gowri

For Respondent : Mr.S.Arun Prasad  
for Mr.M.Guruprasad



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**ORDER**

The wife has filed a petition in H.M.O.P.No.1510 of 2023 which is now pending on the file of the Principal Family Court at Chennai.

2. The husband has moved an application for divorce in H.M.O.P.No.34 of 2023 before the file of the Sub Court at Perundurai. By this transfer petition, the wife seeks transfer of the divorce proceedings in H.M.O.P.No.34 of 2023 from Perunthurai to Chennai to be heard along with H.M.O.P.No.1510 of 2023.

3. She pleads that she is financially disabled as her father passed away several years ago and that she is living with her widowed mother in her uncle's house at Choolaimedu in Chennai.

4. One proceeding being of divorce and the other being of restitution of conjugal rights, it is better both the proceedings are tried by the same Court.

5. Taking into consideration that the difficulties expressed by the wife, I am inclined to allow this transfer petition. Hence, the proceeding in



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H.M.O.P.No.34 of 2023 on the file of the Sub Court, Perundurai is withdrawn and it shall stand transferred to the file of the Principal Family Court at Chennai and shall be heard and disposed of along with H.M.O.P.No.1510 of 2023.

6. It is needless to add that the husband is a permanent employee of TANGEDCO, he need not appear for every hearing but he shall be present only for the essential hearings of the case. For all other hearings, he may be represented through a counsel.

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

**17.04.2024**

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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 Sub Court,  
Perundurai
- 2.The Principal Family Court,  
Chennai

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