



WEB COPY



Tr.C.M.P. No. 639 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.09.2024

CORAM

THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

Tr.C.M.P. No. 639 of 2024

and

C.M.P. No. 13644 of 2024

K.Nandhini Devi

... Petitioner / Respondent

Vs.

C.Tamilmani

... Respondent / Petitioner

PRAYER: Transfer Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, 1908, to withdraw the case in H.M.O.P. No. 4547 of 2023 from the file of the II Additional Family Court at Chennai and to transfer the same to the Subordinate Court at Dharapuram.

For Petitioner : Mr. S.Vasavi Sridevi

For Respondent : Mr. Kamaraj

ORDER

The petitioner is the wife. She married the respondent on 06.03.2022. From the wedlock, a girl child was born on 19.04.2023. Due to disputes and differences, the parties have separated on 29.06.2023.



2. The husband has initiated H.M.O.P. No. 4547 of 2023 on the file of the II Additional Family Court at Chennai. He seeks for restitution of conjugal rights. The petitioner states that being a permanent resident of Dharapuram, she is not in a position to travel to Chennai leaving the girl child behind. She states that she currently unemployed and it would be difficult to travel around 450 kms between Dharapuram and Chennai in order to attend the hearings. She would also plead that husband is currently working as a Doctor in Government Service at Namakkal.

3. Notice was ordered in the application on 18.07.2024. Mr. Kamaraj has entered appearance for the respondent. He states that he has no objection for the proceeding being transferred to Dharapuram.

4. Taking into consideration the convenience of both parties, I am inclined to accept the transfer petition. Accordingly, H.M.O.P. No. 4547 of 2023 is withdrawn from the file of the II Additional Family Court at Chennai and transferred to the file of the Subordinate Court at Dharapuram.

5. In the result, the transfer civil miscellaneous petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.



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Index : Yes/No
Speaking order : Yes/No
NCC : Yes/No

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To

1. The II Additional Family Court at Chennai.
2. The Subordinate Court at Dharapuram.



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V.LAKSHMINARAYANAN, J.,

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