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Tr.C.M.P. No. 659 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.10.2024

CORAM

THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

Tr.C.M.P. No. 659 of 2024

and

C.M.P. No. 14277 of 2024

K.Rajalakshmi

... Petitioner / Respondent

Vs.

Senthil Kumar

... Respondent / Petitioner

PRAYER: Transfer Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, 1908, to withdraw and transfer Family Court Divorce original petition in H.M.O.P. No. 76 of 2024 from the learned Family Court at Thiruvallur to Family Court at Chengalpattu.

For Petitioner : Mr. V.Vivek

For Respondent : Ms. Srinidhi
for Mr. M.Jaikumar

ORDER

The petitioner is the wife. She married the respondent on 10.09.2023 at Veeraragava Perumal Kovi, Thiruvallur. Due to disputes and differences, the



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parties have separated.

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2. The husband had initiated H.M.O.P. No. 76 of 2024 seeking for declaration that the marriage is null and void. On being served the summons, the petitioner wife has moved this transfer. She pleads that she is unable to travel from Singaperumal Kovil to Thiruvallur to attend the hearing.

3. Notice was ordered in the transfer petition on 18.07.2024 and the respondent has entered appearance through Mr. M.Jaikumar.

4. Heard Mr. V.Vivek for the petitioner and Ms. Srinidhi for the respondent.

5. Ms. Srinidhi states that she is willing for transfer to any other Court other than the Family Court at Chengalpattu. She states that the petitioner's brother is a practising lawyer in the said Court and therefore it finds difficult to contest the litigation.

6. I have considered the arguments of both sides and perused the records.



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7. It is clear that the petitioner is a resident of Singaperumal Kovil, which is a midway between Tambaram and Chengalpattu. Therefore, if the proceedings are transferred to the Sub Court at Tambaram, it would address the fear that has been raised by Ms. Srinidhi.

8. Taking into consideration the convenience of the wife, the H.M.O.P. No. 76 of 2024 on the file of the Family Court at Thiruvallur is withdrawn and transferred to the Subordinate Court at Tambaram.

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

18.10.2024

Index : Yes / No

Speaking order : Yes / No

NCC : Yes / No

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To

1. The Subordinate Court at Tambaram.

2. The Family Court at Thiruvallur.



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3. The Family Court at Chengalpattu.

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V.LAKSHMINARAYANAN, J.,

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