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Tr.C.M.P. No.692 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 23.08.2024

CORAM

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

**Tr.C.M.P. No.692 of 2024
and C.M.P.No.14867 of 2024**

Preetha

... Petitioner

Vs.

Jayaraman

... Respondent

PRAYER: Transfer Petition filed under Section 24 of Civil Procedure Code to withdraw and transfer the H.M.O.P.No.20 of 2024 on the file of the Sub Court, Harur, Dharmapuri District, to the file of the Family Court, Salem.

For the Petitioner : Mr.P.Dasarathan

For the Respondent : No appearance

ORDER

The petitioner is the Wife. Marriage between the petitioner and the respondent was solemnised on 03.02.2023. Subsequently alleging that the husband had requested the petitioner to indulge in an activities not conducive of marriage, she separated from him and returned to her parents home.



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2. On account of the fact that she faced torture, from the husband, she initiated H.M.O.P.No.242 of 2024 on the file of the Family Court at Salem. Simultaneously, the husband has initiated a petition for divorce in H.M.O.P.No.20 of 2024 before the Sub Court at Harur. Pleading that she is not in a position to travel from Salem to Harur to attend the hearing, she has moved the present transfer petition.

3. Notice was ordered in this petition on 24.07.2024. The husband was served. He has not entered appearance through a counsel nor is he present before this Court.

4. Taking into consideration, the physical inconvenience expressed by the wife, I am inclined to accept the transfer. Accordingly, H.M.O.P.No.20 of 2024 is withdrawn from the file of the Sub Court, Harur and transferred to the Family Court, Salem, to be heard and disposed of along with H.M.O.P.No.242 of 2024.

5. On such transfer, the presence of the husband need not be insisted upon by the Family Court, Salem, for every hearing. It is sufficient, if he is present at every essential hearings. On all other non-essential or procedural hearings, he will be represented through a counsel.



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6. With the aforesaid directions, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

23.08.2024

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Index : Yes / No
Internet : Yes / No
Speaking order / Non-speaking order
Neutral citation : Yes / No

To

1.The Judge
Family Court, Salem.
2.The Subordinate Judge
Sub Court, Harur.



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V.LAKSHMINARAYANAN, J.,

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