



Tr.C.M.P.No.750 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.10.2024

CORAM

THE HONOURABLE Mr. JUSTICE V.LAKSHMINARAYANAN

Tr.C.M.P.No.750 of 2024

&

C.M.P.No. 16373 of 2024

M.Mahalakshmi

...Petitioner

Vs.

B.Karthick

...Respondent

Prayer: Petition filed under Section 24 of the Code of Civil Procedure to withdraw H.M.O.P.No.1999 of 2024 from the file of the Principal Family Court, Chennai and transfer the same to the Principal Sub Court, Kancheepuram.

For Petitioner : Ms. S.Thamizharasi

For Respondent : Mr. L.Ramu



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ORDER

The Transfer Civil Miscellaneous Petition is filed at the instance of the wife. She married the respondent on 24.10.2021. Thereafter, she initiated proceedings for divorce due to alleged acts of cruelty by the husband in H.M.O.P.No.113 of 2023, on the file of the Principal Sub Court, Kancheepuram. Subsequently, she initiated D.V.C.No.5 of 2023 on the file of the Judicial Magistrate II, Kancheepuram.

2. After receiving summons in these proceedings, the husband initiated H.M.O.P.No.1999 of 2024 on the file of the Principal Family Court, Chennai, for restitution of conjugal rights. The wife pleads that she is unemployed and unable to travel from Kancheepuram to Chennai to attend the hearings.



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3. The learned counsel for the respondent states that, in case the wife is not willing for reunion, his client is willing to file a petition for divorce by mutual consent.

4. Taking into consideration the convenience of the wife, H.M.O.P.No.1999 of 2024, is withdrawn from the file of the Principal Family Court, Chennai, and transferred to the file of the Principal Sub Court, Kancheepuram.

5. The learned Judicial Magistrate II, Kancheepuram, is requested to schedule a hearing date that coincides with the hearing date before the Principal Sub Court, Kancheepuram, so as to obviate the necessity of the husband to travel twice to Kancheepuram to attend litigations.

6. Furthermore, considering the plea of the respondent / husband, in case the Principal Sub Judge, Kancheepuram, after enquiry with



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respective parties feels that there is possibility of filing a petition under Section 13 B of the Hindu Marriage Act, he shall refer the parties to mediation. The learned Mediator shall take appropriate steps in this regard.

7. With the above observation, the Transfer Civil Miscellaneous Petition is allowed. Consequently, the connected miscellaneous petition is closed. No costs.

25.10.2024

Index : Yes/No
Internet : Yes/No
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To

1.The Principal Family Court,
Chennai.

2.The Principal Sub Court,
Kancheepuram.

3.The Judicial Magistrate II,

4/5



Kancheepuram.



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V.LAKSHMINARAYANAN, J.

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