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Tr.CMP.No.752 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.CMP.No.752 of 2023

and

C.M.P.No.18211 of 2023

Asha @ Vaitheeswari

.. Petitioner

Vs.

Pradeeprajan

.. Respondent

Prayer : The Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceeding in H.M.O.P.No.7 of 2023 on the file of the I Additional Sub Court at Salem and transfer the same to the file of the Family Court at Villupuram.

For Petitioner : Mr.K.Raveendran

For Respondent : Served, No Appearance

ORDER

The petitioner and the respondent were married on 20.08.2021 at Arulmigu Thanthondriswarar Thirukkivil at Polur, Salem District. Subsequent to the marriage, they have developed differences and they are living separately at Villupuram and Salem respectively.

2. The husband has initiated proceeding in H.M.O.P.No.7 of 2023 on



Tr.CMP.No.752 of 2023

the file of the I Additional Sub Court at Salem. The wife, who is a resident of Villupuram, seeks transfer of proceeding from Salem to Villupuram. She states that she is unable to travel the distance from Villupuram to Salem as she is entirely depended on her parents for her survival.

3. Though notice was served to the respondent, neither he has entered appearance through a counsel nor he is present in person to oppose this application.

4. Taking into consideration the convenience of the wife and the fact that the husband is not maintaining her, I am inclined to allow this transfer petition. Hence, the proceeding in H.M.O.P.No.7 of 2023 pending on the file of the I Additional Sub Court at Salem is withdrawn and it shall stand transferred to the file of the Family Court at Villupuram.

5. As the respondent/husband is working as a teacher, the learned Family Judge at Villupuram is requested not to insist on the presence of the husband for every hearing, but he shall be directed to be present only for such hearings where his presence is indispensable. On the other hearings, he



Tr.CMP.No.752 of 2023

may be represented through a counsel.

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6. Accordingly, the Transfer Civil Miscellaneous Petition stands allowed. No costs. The connected Civil Miscellaneous Petition is closed.

04.06.2024

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Index:Yes/No

Speaking Order :Yes/No

Neutral Citation:Yes/No

V. LAKSHMINARAYANAN, J.



Tr.CMP.No.752 of 2023

mkn2

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To

1.The I Additional Sub Court,
Salem

2.The Family Court,
Villupuram

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