



WEB COPY



Tr. C.M.P.No.788 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.11.2024

CORAM

THE HON'BLE MR.JUSTICE **V.LAKSHMINARAYANAN**

Tr. C.M.P.No.788 of 2024

and

C.M.P.No.17322 of 2024

Mrs.S.Gayathri Devi

... Petitioner

versus

Mr.Rajkumar.S

... Respondent

Prayer: Petition filed under Section 24 of the Code of Civil Procedure to withdraw the H.M.O.P.No.24 of 2024 pending on the file of the Subordinate Court, Tiruttani and to transfer the same to the file of the Family Court, Chengalpattu.

For Petitioner : Mr.M.Vijaya Kumar

For Respondent : Ms.V.Revathy



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ORDER

WEB COPY The petitioner is the wife. She married the respondent on 14.06.2019 at Chengalpattu. From the wedlock, two children were born on 07.05.2020 and 01.01.2022. Due to disputes and differences, the parties had separated.

2. The wife has initiated M.C.No.35 of 2024 on the file of the Family Court at Chengalpattu. The husband has initiated H.M.O.P.No.24 of 2024 on the file of the Subordinate Court at Tiruttani on the ground of cruelty. The wife finding it difficult, to travel from Chengalpattu to Tiruttani, has moved the Transfer Petition.

3. Notice was ordered on 13.08.2024 and Ms.V.Revathy had entered appearance on behalf of the respondent/husband. While tendering no objection to the transfer, she states that the parties are now undergoing the process of mediation, before the Subordinate Court at Tiruttani.

4. That being the situation, it is better that, both the proceedings are heard and mediated upon by one learned Judge. If mediation is unsuccessful, then the case can be heard by the same Court.



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5. Accordingly, H.M.O.P.No.24 of 2024 is withdrawn from the Subordinate Court at Tiruttani and transfer to the Family Court at Chengalpattu to be heard and dispose of along with M.C.No.35 of 2024. The husband need not appear for every hearing.

6. Ms.Revathi, states that the husband is employed at Koyembedu, therefore, it will be difficult for him to travel for every hearing to the Family Court at Chengalpattu. For procedural and non-essential hearings, he will be represented by a lawyer. For essential hearing and, as and when he is directed by the Court, he shall be present in person.

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

06.11.2024

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Index : Yes/No

Speaking Order/Non speaking order

Neutral Citation Case : Yes/No

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To

- 1.The Subordinate Court, Tiruttani.
- 2.The Family Court, Chengalpattu.



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V.LAKSHMINARAYANAN, J.

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