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Tr.C.M.P.No.855 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.C.M.P.No.855 of 2023

and

C.M.P.No.20436 of 2023

C.Sathiya

.. Petitioner

Vs.

K.Chinnathambi

.. Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, 1908, to withdraw and transfer the petition in H.M.O.P.No.377 of 2022 on the file of the Family Court, Tirupur to the Family Court at Perambalur.

For Petitioner	: Mr.G.Ilamurugu
For Respondent	: No appearance

ORDER

The petitioner / wife filed this petition seeking to withdraw H.M.O.P.No.377 of 2022 pending on the file of the Family Court, Tirupur and transfer the same to the Family Court at Perambalur.

2.The petitioner is the wife and the respondent is the husband. The



Tr.C.M.P.No.855 of 2023

petitioner and the respondent solemnized their wedding on 31.12.2007. From the wedlock, two children, a girl and a boy were born. They are today aged about 13 and 11 years respectively. Due to disputes and differences, the respondent / husband initiated proceedings for divorce in H.M.O.P.No.377 of 2022 on the file of the Family Court at Tirupur. The petitioner / wife has subsequently initiated a proceeding for maintenance in M.C.No.12 of 2023 on the file of the Family Court at Perambalur. Pleading inability to travel a distance of 200 kms from Perambalur to Tirupur, the petitioner / wife is now moving this transfer petition.

3.Considering the facts and circumstances and taking into consideration the convenience of the petitioner / wife, the transfer petition is accepted and H.M.O.P.No.377 of 2022 pending on the file of the Family Court, Tirupur, is withdrawn and transferred to the file of the Family Court at Perambalur. It is made clear that the Family Court at Perambalur need not insist upon the respondent to appear for every hearing except the essential hearing. The respondent shall be present only for such hearings when his appearance is indispensable. For all other hearings, the respondent shall be represented by a



Tr.C.M.P.No.855 of 2023

counsel.

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4. With the above direction, this Transfer Civil Miscellaneous Petition is allowed. Consequently, the connected Miscellaneous Petition is closed. No costs.

28.06.2024

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Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

To

1. The Family Court,
Tirupur.

2. The Family Court,
Perambalur.

V.LAKSHMINARAYANAN, J.



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Tr.C.M.P.No.855 of 2023

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