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Tr.C.M.P.No.965 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2024
Coram

THE HON'BLE MR JUSTICE V. LAKSHMINARAYANAN

Tr.C.M.P.No.965 of 2023 &
CMP.No.23327 of 2023

R.B.Hemavathi

... Petitioner

-Versus-

V.R.Karthick Kumar

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure to withdraw and transfer the case in HMOP.No.96 of 2023 before the Family Court, Pudukkottai to the Family Court at Chennai.

For Petitioner : *Mr.V.Sundarraman*

For Respondent : *Ms.B.Mithra*

ORDER

The petitioner before me is the wife. The husband is a permanent resident of Pudukottai. He has initiated a proceeding in HMOP.No.96 of 2023 on the file of the Family court at Pudukkottai.



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WEB COP 2. The petitioner and the respondent were married on 12.09.2019 at Kundrathur. The wife is a permanent resident of Panjalli Amman Kovil Street, Arumbakkam at Chennai. The petitioner/wife states that she has no person to travel along with her to attend the hearing at Pudukkottai. Hence, she seeks this transfer.

3. Ms.B.Mithra, learned counsel appearing for the respondent/husband submits that her client is willing to file a petition under section 13B of Hindu Marriage Act, i.e., a petition seeking divorce on grounds of mutual consent.

4. Mr.V.Sundarraman, learned counsel appearing for the petitioner also submits that his client is willing to file a petition under section 13B of Hindu Marriage Act, provided the same is presented before the Family Court at Chennai.

5. Taking into consideration the fact that the wife is a permanent resident of Chennai, and the fact that the distance between Pudukkottai and Chennai is considerable, and also the fact that the parties got married in Chennai, I am



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inclined to allow the transfer petition.

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6. Accordingly, the proceeding in HMOP.No.96 of 2023 is withdrawn from the file of the Family Court at Pudukottai and is transferred to the file of the Family Court at Chennai. The respondent/husband shall appear before the Court only for essential hearings and for all other non-essential and procedural hearings, he will be represented through a counsel.

7. With the above direction, this transfer civil miscellaneous petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

29.04.2024

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Index : yes / no

Neutral Citation : yes / no

Speaking / Non Speaking Order

To



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- 1.The Family Court, Pudukkottai
2. The Family Court at Chennai.



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V.LAKSHMINARAYANAN, J.

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