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Tr Cmp.No.1024 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2024

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Tr CMP.No.1024 of 2023

and

CMP.No.24691 of 2023

N.Vineka

... Petitioner

/vs/

Hariharan Sundaran,

rep. through his power agent Mr.Kanagaraj

... Respondent

PRAYER : This Transfer Civil Miscellaneous Petition has been filed under Section 24 of Civil Procedure Code to withdraw the HMOP No.192/2023 from the file of Family Court, Thoothukkudi and transfer the same to the Family Court, Chennai.

For Petitioner ... Ms.K.Sumathi

For Respondent ... Ms.G.Deepika
for Mr.R.Harishnkar

ORDER

This Transfer Civil Miscellaneous Petition has been filed to withdraw the HMOP No.192/2023 from the file of Family Court, Thoothukkudi and transfer the same to the Family Court, Chennai.



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2. The petitioner is wife and the respondent is husband. The respondent herein has filed the above HMOP No.192/2023 seeking divorce. The petitioner is now residing at Chennai and her son H.Mithul Varshan is studying in I Standard at a private school in Chennai. In such circumstances, it is very difficult to her to travel from Chennai to Thoothukkudi for attending the every court hearing and hence, the present transfer petition has been filed.

3. The learned counsel for the respondent has not disputed that the son of the petitioner is studying at a private school in Chennai. However, he submitted that, the respondent is represented by his power agent Kanagaraj, who is an aged person and the power agent is not able to travel from Thoothukkudi to Chennai to attend the case.

4. Considering the nature of the case and also taking note of the fact that the petitioner and her child is residing at Chennai and the son of the petitioner is studying in a school at Chennai and the difficulty expressed by the petitioner is justifiable, this Court is inclined to transfer the case, as



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prayed for in the petition.

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5. Accordingly, H.M.O.P.No.192/2023 is hereby directed to be withdrawn from the file of the Family Court, Thoothukkudi and transferred to the Family Court, Chennai. The Family Court Judge, Thoothukkudi is directed to send the entire records to the Family Court, Chennai, within a period of two weeks from the date of receipt of a copy of this order and on receiving the same, the learned Family Court, Chennai is directed to issue notice to both parties and thereafter, dispose of the case on merits, as early as possible.

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

Index : Yes/No
Internet : Yes/No
mst

27.02.2024

To

- 1.The Family Court, Thoothukkudi .
- 2.The Family Court, Chennai.



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V.SIVAGNANAM ,J.

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