



Tr.C.M.P.No.1093 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2024

CORAM :

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.C.M.P.No.1093 of 2023

and

C.M.P.No.26256 of 2023

S.Jyothi Shree

... Petitioner

Vs.

S.Senthil Kumar @ Appaswamy

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, 1908, praying to withdraw H.M.O.P.No.242 of 2022 pending on the file of the Sub Court, Kovilpatti and transfer the same to the file of the Family Court at Chennai.

For Petitioner : Mr.V.Nithyanandam

For Respondent : Mr.M.L.Mahendran

ORDER

The petitioner and the respondent got married on 07.04.2019 at Kovilpatti, Thoothukudi District. There were no children from the marriage. Subsequently, the parties had fallen apart and they are before



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the Sub Court, Kovilpatti in H.M.O.P.No.242 of 2022.

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2. The petitioner, who is a permanent resident of Andaman & Nicobar Islands, is currently residing in Chennai and has initiated the divorce proceeding in H.M.O.P.No.242 of 2022 before the Sub Court, Kovilpatti.

3. The respondent/husband was served with notice on 27.11.2023, but he has not chosen to oppose this petition.

4. The petitioner/wife pleads that she is unable to travel from Chennai to Kovilpatti, which are about 450 Kms apart, and hence, seeks transfer of proceeding in H.M.O.P.No.242 of 2022 from the file of the Sub Court, Kovilpatti to the file of the Family Court, Chennai.

5. Taking into consideration the difficulty expressed by the petitioner/wife, I am inclined to allow this transfer petition. Hence, the proceeding in H.M.O.P.No.242 of 2022 which is now pending on the file of the Sub Court, Kovilpatti is withdrawn and it shall stand transferred to



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the file of the Family Court, Chennai. It is made clear that the respondent/husband need not appear for every hearing. But he shall appear for the essential hearings. On all other hearings, he may be represented through a counsel or through a Power of Attorney.

6. Accordingly, this Transfer Civil Miscellaneous Petition stands allowed. No costs. Connected Civil Miscellaneous Petition is closed.

16.04.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation : Yes/No
arb

To

1.The Sub Court,
Kovilpatti.

2.The Family Court,
Chennai.

V. LAKSHMINARAYANAN, J.

arb



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