



Tr Cmp.No.1113 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2024

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Tr.CMP.No.1113 of 2023

and

CMP.No.26738 of 2023

Mahalakshmi

...

Petitioner

/vs/

Abhinav Krishnakumar

...

Respondent

PRAYER : This Transfer Civil Miscellaneous Petition has been filed under Section 24 of Civil Procedure Code to withdraw the petition in H.M.O.P.No.528 of 2023 from the file of the Family Court, Trichy and transfer the same to the Sub-Court, Ambattur.

For Petitioner

...

Mr. S. Anburaja

For Respondent

...

Mr.T.S.Vijaya Raghavan

ORDER

This Transfer Civil Miscellaneous Petition has been filed to withdraw and transfer the case in H.M.O.P.No.528 of 2023 from the file of



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the Family Court, Trichy to the file of the Subordinate Court, Ambattur.

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2.The learned counsel appearing for the petitioner submitted that the petitioner is wife and the respondent is husband. Due to misunderstanding between them, they separated. The respondent/husband had filed a petition in H.M.O.P.No.528 of 2023 before Family Court, Trichy for divorce on the ground of cruelty and desertion. Though both the petitioner and the respondent are permanent resident of Chennai, he has filed the said petition at Trichy. The distance between Chennai and Trichy is around 300 kilometers and she finds it very difficult to attend each and every hearing of the said proceedings before Family Court, Trichy. Hence, she prays to transfer the case in H.M.O.P.No.528 of 2023 from the file of the Family Court, Trichy to the file of the Sub-Court,Ambattur and prayed to allow the transfer civil miscellaneous petition.

3.The learned counsel appearing for the respondent has denied the allegations raised in the affidavit for transfer. At the same time, he has no objection in allowing the petition.

4. In view of the above submission, this Court is inclined to transfer the H.M.O.P.No.528 of 2023 from the file of the Family Court, Trichy to



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the file of the Subordinate Court, Ambattur.

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5. In view of the above, H.M.O.P.No.528 of 2023 is directed to be withdrawn from the file of the Family Court, Trichy and transferred the same to the file of the Subordinate Court, Ambattur. The Family Judge, Trichy, is hereby directed to send entire records to the Subordinate Court, Ambattur, within a period of two weeks from the date of receipt of a copy of this order and the learned Subordinate Judge, Ambattur is directed to issue notice to the respondent. The petitioner and the respondent are directed to appear before the trial Court as directed by it whenever their presence is necessary.

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

Index : Yes/No

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Internet : Yes/No

mrp

To

1. The Family Court,
Trichy.



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2. The Subordinate Court,
Ambattur.



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V.SIVAGNANAM ,J.

mrp

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