



Tr.CMP.No.1148 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.CMP.No.1148 of 2023

and

C.M.P.No.27626 of 2023

Indhuvizhi

.. Petitioner

Vs.

Senthilnathan

.. Respondent

Prayer : The Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceedings in H.M.O.P.No.132 of 2023 pending on the file of the Family Court, Ariyalur and transfer the same to the file of the Sub Court, Virudhachalam, Cuddalore for disposal.

(This prayer has been amended vide Court order dated 03.06.2024 made in C.M.P.No.1528 of 2024 in Tr.C.M.P.No.1148 of 2023 by VLNJ)

For Petitioner : Mr.S.Kamadevan

For Respondent : Mr.C.Prabakaran



Tr.CMP.No.1148 of 2023

ORDER

The present transfer petition seeks transfer of proceeding in H.M.O.P.No.132 of 2023, which was initiated by the respondent/husband seeking divorce, from the file of the Family Court at Ariyalur to the file of the Sub Court at Virudhachalam.

2. The petitioner/wife is a permanent resident of Virudhachalam. The parties were married on 21.06.2010 at Jayamkondam. From the wedlock, a boy child was born in the year 2013. Both the petitioner as well as the respondent are medical professionals. Due to differences that have arisen between the parties, the husband has initiated proceeding in H.M.O.P.No.132 of 2023 on the file of the Family Court at Ariyalur.

3. As the petitioner/wife is not in a position to travel from Virudhachalam to Ariyalur for every hearing, she has moved this transfer petition.

4. Taking into consideration the interest of the wife and the fact that there is a boy child from the wedlock, who is aged about 11 years as of today, and he is in custody of his mother/the petitioner herein, I am inclined



Tr.CMP.No.1148 of 2023

to consider this transfer petition.

WEB COPY

5. If the proceeding is transferred to the file of the Sub Court at Virudhachalam, the husband will not be prejudiced as he need not appear for every hearing. He can contest the proceeding through a counsel.

6. Hence, the proceeding in H.M.O.P.No.132 of 2023 now pending on the file of the Family Court at Ariyalur is withdrawn and it shall stand transferred to the file of the Sub Court at Virudhachalam.

7. Accordingly, the Transfer Civil Miscellaneous Petition stands allowed. No costs. The connected Civil Miscellaneous Petition is closed.

03.06.2024
(2/2)

mkn2

Index:Yes/No
Speaking Order :Yes/No
Neutral Citation:Yes/No

V. LAKSHMINARAYANAN, J.



Tr.CMP.No.1148 of 2023

mkn2

WEB COPY

To

1.The Family Court,
Ariyalur

2.The Sub Court,
Virudhachalam

Tr.CMP.No.1148 of 2023
and
C.M.P.No.27626 of 2023

03.06.2024
(2/2)