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Tr.CMP No.1187 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2024

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

TR.CMP No.1187 of 2023
and C.M.P.No.28532 of 2023

Vishnupriya

.... Petitioner

-Vs-

Lokesh @ Karthick

.... Respondent

Prayer : Transfer Civil Miscellaneous Petition under Section 24 of C.P.C., to withdraw HMOP No.179 of 2023 pending on the file of the Sub Court, Arakkonam to the file of Family Court, Chennai.

For Petitioner : Mr.P.Muthamizh Selvakumar

For Respondent : Mr.M.Manoj

ORDER

The petitioner and the respondent were married on 21.02.2022. From the wedlock, on 10.02.2023 a male child was born. Due to differences, the parties have separated. The husband has initiated HMOP No.179 of 2023 seeking for divorce on the file of the Subordinate Judge at Arakkonam. The petitioner, who is a permanent resident of Peravallur, said to be in the suburbs of Chennai, seeks for transfer of the said petition from Arakkonam to Chennai.



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V. LAKSHMINARAYANAN, J.

KST

2. Taking into consideration that the mother is aged about 24 years and is taking care of a child aged around 1½ years old, I am inclined to accept the transfer petition. Therefore, the proceedings in HMOP No.179 of 2023 is withdrawn from the file of the Subordinate Judge Arakkonam and transferred to the file of the Family Court at Chennai. The Family Court, Chennai need not insist upon the appearance of the husband for every hearing. For procedural and non-essential hearings, the husband shall be permitted to appear through counsel and for essential hearings, he shall be present in person.

3. With the above directions, the Tr.C.M.P. is allowed. No costs. Consequently, connected miscellaneous petition is closed.

04.06.2024

Index : Yes/No

Neutral Citation : Yes/No

KST

To

1.The Subordinate Court, Arakkonam.

2.The Family Court, Chennai.

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