



Tr CMP.No.1 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2024

CORAM

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr CMP.No.1 of 2024 &
CMP.No.38 of 2024

S.Malini : Petitioner

versus

R.Balabaskaran : Respondent

Prayer: Petition filed under Section 24 of the Code of Civil Procedure to withdraw the GOP.No.17 of 2023 on the file of the Family Court at Puducherry and to transfer the same to the file of the Family Court at Villupuram.

For Petitioner : Mr.C.Prabakaran

For Respondent : No appearance

ORDER

The petitioner is the wife. She married the respondent on 05.12.2016



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at Thiruvanthipuram, Cuddalore. The wedlock produced two children: one is aged about eight years and the other is aged about two years. Due to disputes and differences, the parties separated.

2. The husband has initiated GOP.No.17 of 2023 before the Family Court at Puducherry seeking for custody of the children. He had also filed MOP.No.14 of 2023 seeking for dissolution of marriage before the very same Court.

3. The wife is a resident of Villupuram. Pleading that she is taking care of the children and could not travel from Villupuram to Puducherry for contesting the litigation, she filed a transfer petition to transfer MOP.No.14 of 2023 in Tr.CMP.No.369 of 2023. I ordered the said petition on 03.06.2024. Now she seeks for transfer of GOP.No.17 of 2023 from the file of the Family Court, Puducherry to the file of the Family Court at Villupuram.

4. Notice was ordered in this petition on 18.10.2024. The respondent



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was served with notice. Though he was served, he neither appeared in person nor did any counsel appear to oppose the transfer.

5. Taking into consideration the convenience of the wife and also the fact that the children are now in the custody of the wife, GOP.No.17 of 2023 is withdrawn from the file of the Family Court, Puducherry and is transferred to the file of the Family Court at Villupuram. On transfer, the learned Family Judge, Villupuram is requested to club GOP.No.17 of 2023 along with the proceedings in MOP.No.14 of 2023, which has already been transferred to its file and dispose of the same by a common order. The dispense with order that was granted to the husband in Tr.CMP.No.369 of 2023 dated 03.06.2024 holds good for the present proceedings also.

6. With the above directions, this transfer petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

04.11.2024

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Index : Yes/No
Speaking Order/Non speaking order
Neutral Citation : Yes/No



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V.LAKSHMINARAYANAN, J.

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To

1.The Family Court, Puducherry

2. The Family Court Villupuram

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