



TR.C.M.P. (MD) No. 138 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.04.2024

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

TR.C.M.P. (MD) No. 138 of 2023

and

C.M.P. (MD) Nos. 3217 and 3218 of 2023

A.Rajasekar

... Petitioner

-VS-

N.Siva Nandhini

... Respondent

Prayer:- Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, 1908, to withdraw and transfer the case in O.P. No.4596 of 2022 on the file of the IV Additional Family Court, Chennai to the Family Court either at Thoothukudi District or at Tirunelveli District for further adjudication of the said case.

For Petitioner : Mr. R.Anand

For Respondent : Mr. M.P. Senthil



TR.C.M.P. (MD) No. 138 of 2023

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ORDER

Heard Mr. R.Anand, Learned Counsel for the Petitioner, Mr. M.P.Senthil, Learned Counsel appearing for the Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner (wife) has filed H.M.O.P. No. 4596 of 2022 before the IV Additional Family Court, Chennai (hereinafter referred to as 'the Family Court' for short) seeking divorce from the Respondent (Husband) and has sought for transfer of the said proceedings to the Family Court either at Thoothukudi District or Tirunelveli District in this application made under Section 24 of the Civil Procedure Code, 1908.

3. However, Learned Counsel for the Petitioner represents that instead of transferring the case, the Petitioner would be satisfied if her personal appearance is dispensed before the Trial Court with the undertaking that she would attend the hearings whenever necessary, and Learned Counsel for the Respondent also agrees for the same. They have also jointly made an endorsement to that effect in the court record.



TR.C.M.P. (MD) No. 138 of 2023

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In view of the same, the appearance of the Petitioner before the Family Court is dispensed except whenever specifically required, and the Transfer Civil Miscellaneous Petition is disposed on the aforesaid terms. Consequently, the connected Miscellaneous Petitions are closed. No costs.

02.04.2024

Index : Yes/No

Internet : Yes/No

pal/ta

Note: Issue order copy by 12.04.2024.

To

1. The IV Additional Family Court,
Chennai
2. The Section Officer,
Vernacular Records Section,
Madurai Bench of Madras High Court,
Madurai.



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TR.C.M.P. (MD) No. 138 of 2023

P.D. AUDIKESAVALU, J.

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TR.C.M.P. (MD) No. 138 of 2023

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