



WEB COPY



Tr.CMP.No.77 of 2024 and C.M.P.No.1901 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.09.2025

CORAM:

**THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

Tr.CMP.No.77 of 2024

and

C.M.P.No.1901 of 2024

Sindhuja

... Petitioner

Versus

1. Manikandan

2. Lingeswaran

... Respondents

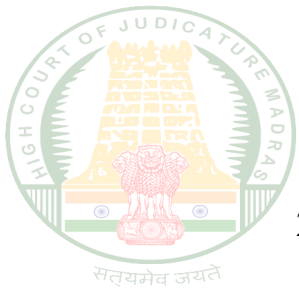
Prayer:- Transfer Civil Miscellaneous Petition filed under Section 24 of the CPC, to withdraw H.M.O.P.No.25 of 2023 on the file of Sub Court at Gudalur, the Nilgiris and transfer the same to the Family Court at Tiruppur.

For Petitioner : Mr.K.Myilsamy

For Respondent : No appearance

### **ORDER**

The petitioner / wife has come up with the above transfer petition, seeking transfer of H.M.O.P.No.25 of 2023 from the file of Sub Court at Gudalur, the Nilgiris to the file of Family Court at Tiruppur.



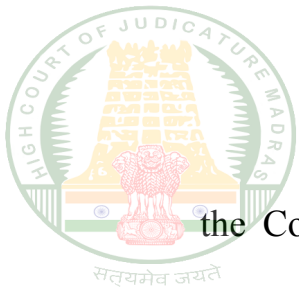
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2. Despite service of notice in the above transfer petition, the respondents have neither chosen to appear in person nor through counsel.

The names of the respondents are also printed in the cause list. Names of the respondents are called out, but there is no response. Hence, they are set *ex parte*. I have proceeded to hear the learned counsel for the petitioner. I have also gone through the affidavit filed in support of the request for transfer.

3. The learned counsel appearing for the petitioner would submit that the respondent husband has filed a petition for divorce in H.M.O.P.No.25 of 2023 pending on the file of Sub-Court, Gudalur and petitioner has filed a petition under Section 125 of the Code of Civil Procedure, 1908 seeking maintenance and other reliefs in M.C.No.95 of 2023 on the file of Family Court at Tiruppur.

4. The petitioner has stated that she is living with her parents at Tiruppur and it would be extremely difficult for her to attend each and every hearing by travelling nearly 350 kms by incurring huge amount and that apart, other than the aged parents, there is no one to accompany her to attend



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the Court hearings. I am satisfied that the petitioner has made out good ground for transferring the case and in order to avoid multiplicity of proceedings and conflicting judgments, it is just and necessary to transfer the case in H.M.O.P.No.25 of 2023 pending on the file of the Sub-Court, Gudalur to the file of the Family Court, Tiruppur.

5. Accordingly, this Transfer Civil Miscellaneous Petition is allowed and the case in H.M.O.P.No.25 of 2023 is withdrawn from the file of the Sub-Court, Gudalur and transferred to the file of the Family Court, Tiruppur. Considering the facts, there shall be no orders as to costs. Consequently, connected Civil Miscellaneous Petition is closed.

**16.09.2025**

Index : Yes/No  
Speaking order : Yes/No  
Neutral Case Citation : Yes/No  
gpa

To  
1. The Sub Court at Gudalur, Nilgiris  
2. The Family Court at Tiruppur



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**M. JOTHIRAMAN, J.**

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