



WEB COPY

Tr. CMP.No.134 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19.03.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

Tr. CMP.No.134 of 2025

and

C.M.P.No.2766 of 2025

S.Sangavi

... Petitioner

Vs.

M.Gobi

... Respondent

Prayer:- Transfer Petition is filed under Section 24 of the CPC to withdraw HMOP No.95 of 2024 pending on the file of Hon'ble Sub Court at Rasipuram, Namakkal District and transfer the same to the files of the Hon'ble VII Additional Principal Family Court at Chennai by considering the maintenance case in MC No.690 of 2024 and restitution of the conjugal rights in OP No.42 of 2025 on the file of Hon'ble VII Additional Principal Family Court at Chennai and pass such further orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner : M/s.M.Samuel Raja

For Respondent : Private notice served - No Appearance

ORDER



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The above Petition is filed to withdraw and transfer HMOP No.95 of 2024, pending on the file of the Sub Court at Rasipuram, Namakkal District, to the VII Additional Principal Family Court at Chennai.

2. Reasons for seeking the transfer are as follows:-

(i) The petitioner/wife is not being maintained by the respondent/husband.

(ii) MC.No.690 of 2024 filed by the petitioner/wife seeking maintenance is pending on the file of the VII Additional Principal Family Court, Chennai.

(iii) O.P.No.42/2025 filed by the petitioner/wife for restitution of conjugal rights is pending on the file of the VII Additional Principal Family Court, Chennai.

(iv) The distance between the present residence of the petitioner/wife and the Sub Court at Rasipuram, Namakkal is more than 300 kilometres.

3. The respondent though served has not entered appearance either in person or through counsel. Heard the learned counsel for the petitioner and perused the records.

4. In the above circumstances the request for transfer appears reasonable and justified. Therefore, the Transfer Civil Miscellaneous



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Petition is allowed and HMOP No.95 of 2024, pending on the file of the Sub Court at Rasipuram, Namakkal District, is withdrawn and transferred to the file of the VII Additional Principal Family Court at Chennai. The presence of the respondent/husband before the Sub Court at Rasipuram, Namakkal District is dispensed with on all hearings except for adducing evidence and for counseling. No costs. Consequently, the connected Miscellaneous Petition is closed.

19.03.2025

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

1. The Sub Court at Rasipuram, Namakkal District.
2. The VII Additional Principal Family Court at Chennai.

P.T. ASHA. J.,

(shr)



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