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Tr.C.M.P.No.141 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2025

CORAM

THE HONOURABLE MS. JUSTICE P.T.ASHA

Tr.C.M.P.No.141 of 2025

and

C.M.P.No.2801 of 2025

B.Shilpa

... Petitioner

Vs

P.Rajaguru

... Respondent

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure, to withdraw the H.M.O.P.No.79 of 2024 pending on the file of the Sub Court, Ramanathapuram and transfer the same to the III Additional Family Court, Chennai.

For Petitioner : Mr.D.Krishnamurthy

for Mr.J.B.Solomon Peter Kamal Doss

For Respondent : Served- No appearance

ORDER

This Transfer Civil Miscellaneous Petition is filed seeking to withdraw H.M.O.P.No.79 of 2024 filed by the respondent-husband



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from the file of the Subordinate Court, Ramanathapuram and transfer the same to the file of the III Additional Family Court, Chennai.

2. The respondent-husband has filed H.M.O.P.No.79 of 2024 under Section 13(1)(i-a) of the Hindu Marriage Act on the file of the Subordinate Court, Ramanathapuram for divorce.

3. The petitioner-wife would submit that she has to travel for nearly 500 kms to attend the hearings at Ramanathapuram and that, apart, she will not be in a position to return the very same day and would have to stay overnight at Ramanathapuram. Further, she has to be accompanied by someone to Chennai, all of which would add to her financial burden. She would further submit that she is not being given any maintenance by the respondent/husband. Further, the petitioner-wife has filed M.C.No.677 of 2024 on the file of the III Additional Family Court, Chennai.



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4. Heard the learned counsel for the petitioner and perused the materials available on record. The respondent, though served, has not entered appearance.

5. Therefore, taking into account the above factors, the transfer Civil Miscellaneous Petition is allowed. H.M.O.P.No.79 of 2021 pending on the file of the Sub Court, Ramanathapuram shall withdrawn and transferred to the file of the III Additional Family Court, Chennai. No costs. Consequently, connected miscellaneous petition is closed.

21.03.2025

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To

1. The Subordinate Court, Ramanathapuram.
2. The III Additional Family Court, Chennai.



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P.T. ASHA, J.,

srn

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