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Tr.C.M.P.No.138 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2025

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

Tr.C.M.P.No.138 of 2025

& CMP.No.2785 of 2025

Vijayapriya

... Petitioner

vs.

P.Sivapragasam

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure to withdraw H.M.O.P.No.856 of 2024 from the file of the Family Court, Pondicherry and to transfer the same to the file of the Principal Sub Court, Tindivanam.

For Petitioner : Mr.V.Navaneethakrishnan

For Respondent : No appearance

ORDER

The petitioner is the wife in a matrimonial proceeding. The petitioner seeks transfer of HMOP.No.856 of 2024 pending on the file of the Family Court, Pondicherry, to be transferred to the file of the Principal Sub Court, Tindivanam.



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2. Despite service of notice on the respondent, the respondent has not chosen to enter appearance either in person or through counsel. The name of the respondent is also printed in the today's cause list. Hence, the respondent is called absent and set exparte.

3. I proceeded to hear the learned counsel for the petitioner. I have also gone through the affidavit filed in support of the transfer petition.

4. The learned counsel for the petitioner taking me to the averments set out in the affidavit filed in support of the Transfer petition would contend that the petitioner has to take care of her infant child and also aged parents and she would find it really inconvenient to attend the hearings at Family Court, Pondicherry and hence seeks transfer of HMOP No.856 of 2024 to the file of Principal Sub Judge, Tindivanam.

5. I find prima facie case made out by the petitioner/wife for transfer of HMOP No.856 of 2024 from the file of the Family Court, Pondicherry to the Principal Sub Court, Tindivanam.

6. In the light of the above, this Transfer Civil Miscellaneous Petition



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is allowed. The case in HMOP.No.856 of 2024 is hereby withdrawn from the file of the Family Court, Pondicherry and transferred to the file of the

Principal Sub Court, Tindivanam. There shall be no order as to costs.

Connected Civil Miscellaneous Petition is closed.

13.06.2025

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Index : Yes/No

Speaking Order : Yes / No

Neutral Citation : Yes / No

To

1. The Family Court, Pondicherry.
2. The Principal Sub Court, Tindivanam.

P.B. BALAJI,J.



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