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Tr. C.M.P.No. 161 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.04.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

Tr. C.M.P.No. 161 of 2025

&

C.M.P. No. 3151 of 2025

S.Muthukkumaran

...Petitioner

Vs.

Malathy

...Respondents

Prayer: Transfer Petition is filed under Section 24 of the CPC, to withdraw the case in OP.No.46 of 2023 pending on the file of the Family Court, Thiruvannamalai and transfer the same to the file of the Sub Court, Kallakurichi.

For Petitioner : Mr. A.Manojkumar

For Respondent : Mr. I.Periaswamy

ORDER



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The Transfer Petition is filed to withdraw the case in OP.No.46 of 2023 pending on the file of the Family Court, Thiruvannamalai and transfer the same to the file of the Sub Court, Kallakurichi.

2. The petitioner married the respondent on 07.05.2017. Out of the wedlock a male child was born to them on 29.09.2019. Thereafter, due to difference of opinion, the parties separated and the respondent herein had filed OP.No.46 of 2023 seeking divorce. The petitioner would submit that he is not willing for the dissolution of marriage and he has filed HMOP.No.39 of 2023 before the Sub Court, Kallakurichi seeking conjugal rights.

3. It is informed by the learned counsel for the respondent that the respondent is not willing to rejoin the husband. He would also submit that the petitioner / husband is unemployed.

4. Considering the fact that the respondent / wife is residing at Thiruvannamalai and the child is also with her, the transfer petition is



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dismissed. However, the presence of the petitioner is dispensed with for all the hearings except for counseling and adducing evidence.

Consequently, the connected miscellaneous petition is closed. No costs.

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Index : Yes/No

Internet : Yes/No

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1. The Family Court,
Thiruvannamalai

2. The Sub Court,
Kallakurichi.

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P.T. ASHA, J,

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