



Tr.C.M.P.No.178 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2025

CORAM

THE HONOURABLE MS. JUSTICE P.T.ASHA

Tr.C.M.P.No.178 of 2025
and C.M.P.No.3815 of 2025

Parvathi Stalin

... Petitioner

Vs

V.Stalin Valusamy

... Respondent

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure, to withdraw H.M.O.P.No.48 of 2024 from the Court of the Subordinate Court, Thittakudi and transfer the same to the file of the IV Additional Family Court at Chennai to be tried along with H.M.O.P.No.4407 of 2024.

For Petitioner : Mr.K.Santhakumari

For Respondent : Served thro' mail -No appearance



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ORDER

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The Petitioner/wife has filed this Transfer Civil Miscellaneous Petition seeking to withdraw the H.M.O.P.No.48 of 2024 pending on the file of the Subordinate Court, Thittakudi and transfer the same to the file of the IV Additional Family Court at Chennai to be tried along with H.M.O.P.No.4407 of 2024.

2. The respondent-husband filed H.M.O.P.No.48 of 2024 on the file of the Subordinate Court, Cuddalore for divorce. The petitioner-wife filed H.M.O.P.No.4407 of 2024 on the file of the IV Additional Family Court, Chennai seeking restitution of conjugal rights.

3. The petitioner-wife would submit that the respondent-husband, knowing fully well that she is residing in Chennai and preparing for NEET and NLP courses, has deliberately filed the above H.M.O.P before the Subordinate Court at Cuddalore only with an intention to harass her. Further, the petition for restitution of conjugal rights filed



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by her is pending before the IV Additional Family Court, Chennai.

Hence, she sought for transfer.

4. Heard the learned counsel for the petitioner and perused the materials available on record. Though the respondent has been served with notice through e-mail, there is no representation for him either in person or through counsel.

5. Taking into consideration the facts and circumstances of the case and looking into the grievances expressed by the petitioner, the Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.48 of 2024 pending on the file of the Subordinate Court, Thittakudi shall stand withdrawn and transferred to the file of the IV Additional Family Court at Chennai to be tried along with H.M.O.P.No.4407 of 2024. No costs. Consequently, connected civil miscellaneous petition is closed.

27.03.2025

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To
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1. The Subordinate Court, Thittakudi
2. The IV Additional Family Court at Chennai



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P.T. ASHA, J.,

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