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TR.CMP.No.232 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2025

CORAM :

THE HONOURABLE MR. JUSTICE P.B.BALAJI

TR.CMP.No.232 of 2024

and

CMP.No.4653 of 2024

Mohanambal @ Mohana

...Petitioner

Vs.

Mahendran

...Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure to withdraw the divorce petition in HMOP.No.21 of 2024 pending on the file of Family Court, Tiruppur and transfer the same to the Family Court, Nagapattinam.

For Petitioner : M/s.S.Giri Tharan

For Respondent : No Appearance



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ORDER

The petitioner/wife seeks transfer of HMOP.No.21 of 2024 pending on the file of the Family Court, Tiruppur to the file of the Family Court, Nagapattinam.

2. Despite several attempts made to serve notice on the respondent at his registered address, as the service remained incomplete, this Court, vide order dated 29.07.2025 directed the petitioner to effect paper publication.

3. In compliance with the order of this Court dated 29.07.2025, though service has been effected on the respondent by way of paper publication in Makkal Kural Tamily Daily, Covai edition dated 03.08.2025, there is no representation on behalf of the respondent even today. Hence, the respondent is called and set *exparte*.

4. Learned counsel for the petitioner/wife submits that, the petitioner is residing in Nagapattinam and she is taking care of her minor son and that the minor son is also suffering from Nephrotic Syndrome, a



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Kidney disorder, which required constant supervision and thereby, it would be very much inconvenient for the petitioner to attend the HMOP proceedings before the Family Court, Tiruppur, due to the long distance to be travelled by her. Learned counsel further submits that, the respondent is already remarried and is harassing the petitioner and putting her to great inconvenience.

5. I have heard the learned counsel for the petitioner and I have also perused the affidavit filed in support of this transfer petition.

6. I find that the petitioner has made out more than sufficient cause for transfer of the HMOP proceedings to the file of the Family Court, Nagapattinam and accordingly, the case in HMOP.No.21 of 2024 is withdrawn from the file of the Family Court, Tiruppur and the same is transferred to the file of the Family Court, Nagapattinam. The Transferee Court shall expedite the trial in HMOP.No.21 of 2024, post transfer and dispose of the same finally on merits and in accordance with law on or before 31.03.2026, after hearing the parties.



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7. With the above observations and directions, this Transfer Civil miscellaneous petition stands allowed. No costs. Consequently, the connected miscellaneous petition is closed.

19.08.2025

skt

Index	: Yes / No
Speaking order	: Yes / No
NCC	: Yes / No

To

1. The Family Court, Tiruppur.
2. The Family Court, Nagapattinam.



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P.B. BALAJI, J.

skt

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