



WEB COPY



Tr.C.M.P.No.229 of 2025
and C.M.P.No.4443 of 2025

P.B. BALAJI, J.

This matter is listed today under the caption “for being mentioned” at the instance of the learned counsel for the petitioner.

2. The learned counsel for the petitioner submits that in the prayer portion of the order dated 10.07.2025 passed by this Court in Tr.C.M.P.No.229 of 2025, the year of H.M.O.P. has wrongly been typed as 2024 instead of **2023**, and hence, the same requires correction.

3. In view of the above, the Registry is directed to carry out the necessary correction by substituting the year of H.M.O.P. **as 2023** and issue a fresh order copy to the parties forthwith.

4. All other aspects of the said order shall remain unaltered.

03-09-2025

ASI



WEB COPY



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS



Dated :10.07.2025

CORAM:

THE HON'BLE MR. JUSTICE P.B. BALAJI

Tr.C.M.P.No.229 of 2025 and CMP No.4443 of 2025

S.Rokesh

... Petitioner

VS

R.Priya

.. Respondent

Petition filed under Section 24 of Civil Procedure Code to withdraw the petition in HMOP No.48 of 2024 on the file of Sub Court, Arni to Family Court, Chennai.

For Petitioner : Mr.B.Gopalakrishnan

For Respondent : No appearance

ORDER

Pursuant to the order of this Court dated 27.06.2025, the petitioner has effected paper publication in one issue of Tamil Daily viz., “Makkal Kural” at Chennai Edition on 02.07.2025 for today's hearing.

2. Learned counsel for the petitioner states that the respondent/wife has chosen to remarry and also begotten a child through the second husband. She is not attending any of the proceedings before Sub Court, Arni, where the



petitioner/husband filed a petition in HMOP No.48 of 2023 seeking dissolution of marriage. Even before this Court, despite opportunity is granted, the respondent/wife has not chosen to appear.

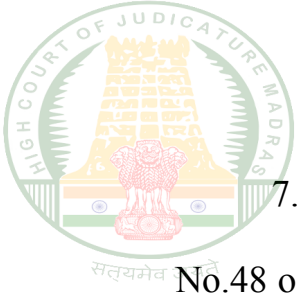
WEB COPY

3. It is the contention of the petitioner that HMOP No.48 of 2023 was filed before Sub Court, Arni since the marriage was performed there. However, subsequently, the petitioner has shifted his residence to Chennai and he is presently employed in Chennai and he is finding difficult to travel to Arni especially when the respondent/wife does not even chosen to appear and the petition is kept pending for more than two years even at the service stage.

4. In view of the above, I am inclined to transfer HMOP No.48 of 2023 from the file of Sub Court, Arni to Family Court, Chennai.

5. Accordingly, Tr.C.M.P.No.229 of 2025 is allowed and the proceedings in Tr.C.M.P.No.229 of 2025 is withdrawn from the file of Sub Court, Arni and the same is transferred to Family Court, Chennai.

6. The Principal Family Court, Chennai at its discretion shall take up HMOP No.48 of 2023 or assign any additional Court, subject to the pendency of cases before Principal Family Court, Chennai.



7. The transferee Court shall make all endeavours to dispose of HMOP No.48 of 2023 within a period of three months from the date of receipt of a copy of this order.

No costs. Consequently, connected miscellaneous petition is closed.

10.07.2025

Index: Yes/No
Website:yes/no
Speaking Order/Non-speaking Order
sr

To

- 1.The Subordinate Court, Arni
2. The Principal Family Court, Chennai



WEB COPY



P.B.BALAJI,,J.

sr

Tr.C.M.P.No.229 of 2025

10.07.2025