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TR.C.M.P.No.246 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2025

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THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

TR.C.M.P.No.246 of 2024
and C.M.P.No.5197 of 2024

V.Sudha

...Petitioner

Vs.

A.Velayutham

...Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw the case in H.M.O.P.No.305 of 2023 on the file of the VII Additional Family Court at Chennai and the same may be transferred to the Sub-Court, Gingee for Joint trial with the case in H.M.O.P.No.38 of 2023 pending on the file of the Sub Court, Gingee, Villupuram District.

For Petitioner : Mr.V.R.Appaswamee

For Respondent : No appearance



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ORDER

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This petition has been filed to withdraw the case in H.M.O.P.No.305 of 2023 on the file of the VII Additional Family Court at Chennai and the same may be transferred to the Sub-Court, Gingee for joint trial with the case in H.M.O.P.No.38 of 2023 pending on the file of the Sub Court, Gingee, Villupuram District.

2.Heard the learned counsel for the petitioner and perused the materials available on record.

3.Learned counsel for the petitioner would submit that the respondent has not chosen to enter appearance despite service of notice. I find that the service of notice has been completed on the respondent and the name of the respondent is also printed in the cause list for list of today's cases. The respondent is called and set ex-parte.

4.Learned counsel for the petitioner would further submit that the petitioner is residing at Krishna Gounder Nagar, Villupuram District and it will be very helpful and convenient for the petitioner to conduct both the cases simultaneously as joint trial at the Sub Court, Gingee and hence, order of transfer is just and necessary to avoid multiplicity of



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litigation and to avoid conflict judgments. It is the specific contention of the learned counsel for the petitioner that no prejudice would be caused to the respondent, if the transfer request made by the petitioner/wife is acceded to.

5.I have gone through the affidavit filed in support of the transfer petition as well. I find merit in the submissions made by the learned counsel for the petitioner.

6.In view of the above and also subsequent developments that have been highlighted by the learned counsel for the petitioner, there can be no impediment for TR.C.M.P.No.246 of 2024 being allowed as prayed for. Accordingly, this Transfer Civil Miscellaneous Petition is allowed. The case in H.M.O.P.No.305 of 2023 is hereby withdrawn from the file of the VII Additional Family Court, Chennai and transferred to the file of the Sub Court, Gingee. No costs. Consequently, connected miscellaneous petition is closed.

10.09.2025

Index : Yes/ No
Speaking (or) Non Speaking Order
Neutral Citation: Yes/No
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M.JOTHIRAMAN, J.

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To

- 1.The VII Additional Family Court,
Chennai.
- 2.The Sub Court,
Gingee.

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10.09.2025

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