



Tr.C.M.P.No.273 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :05.06.2025

CORAM:

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

Tr.C.M.P.No.273 of 2024 and CMP No.5630 of 2024

Mrs.Susan Murray Antony

.... Petitioner

VS

M.Thiyagarajan

... Respondent

Tr.Civil Revision Petition filed under Section 24 of Civil Procedure Code seeking to withdraw S.M.O.P.No.7 of 2024, on the file of Principal District and Sessions Court, Thiruvallur and transfer the same to the file of District Court, Tenkasi.

For Petitioner : Mr.S.Suba Shiny

For Respondent : Ms.C.Jaya Chitara

ORDER

The petitioner has filed the present petition seeking transfer of S.M.O.P.No.7 of 2024 from the file of Principal District and Sessions Court, Thiruvallur to the file of District Court, Tenkasi.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondent.



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3. The petitioner has stated even in the affidavit filed in support of the Tr.C.M.P that though she was employed in Chennai, for the sake of taking care of her minor children, she has to go and settle down at Sengottai. The petitioner has expressed some difficulties to attend the hearings at Thiruvallur.

4. Learned counsel for the respondent would submit that she has attended all the hearings before the Mediation Centre, Chennai.

5. The appearance of the petitioner before the Mediation Centre, Chennai is only pursuant to the direction of this Court and the same cannot be put against the petitioner/wife.

6. With regard to the employment of the petitioner at Chennai, the same has been properly explained by the petitioner/wife in the affidavit filed in support of the petition for transfer.

7. I have gone through the affidavit filed in support of the petition. The



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petitioner has assigned genuine and acceptable reasons for being unable to attend the hearings at Thiruvallur.

8. In view of the above, this Court is of the opinion that the petitioner has made out a case for transfer of SMOP No.7 of 2024, as prayed for.

9. Learned counsel for the respondent would request for an order for visitation right.

10. Since the children is now with the mother at Sengottai, it is open to the respondent/husband to move an appropriate application before the District Court, Tenkasi and if any such application is filed by the respondent/husband, the same shall be taken up expeditiously.

11. Accordingly, the Tr.C.M.P. is allowed and SMOP No.7 of 2024 pending on the file of Principal District and Sessions Court, Thiruvallur District is withdrawn and transferred to the file of District Court, Tenkasi.



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P.B.BALAJI.,J.

Sr

12. The Principal District and Sessions Court, Thiruvallur District is directed to send the entire records relating to SMOP No.7 of 2024 to District Court, Tenkasi forthwith.

13. The learned District Court, Tenkasi is directed to take up the SMOP No.7 of 2024 and dispose of the same expeditiously in a manner known to law. No costs. Consequently, connected miscellaneous petition is closed.

05.06.2025

Index: Yes/No

Website:yes/no

Speaking Order/Non-Speaking Order

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To

1. The Principal District and Sessions Court, Thiruvallur
2. The District Court, Tenkasi

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