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Tr.CMP.No.318 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.04.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

Tr.CMP.No.318 of 2025
and CMP.No.6908 of 2025

Kalaivani

... Petitioner

Vs.

M.Sudhakar

... Respondent

Prayer: Transfer Petition filed under Sec.24 of CPC praying to withdraw the H.M.O.P.CFR.No.6747 of 2024 on the file of the Family Court, Erode and to transfer the case to the Family Court at Salem.

For Petitioner : Mr.S.A.Sayed Shuhaibb

For Respondent : Mr.W.Camyles Gandhi



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ORDER

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2. The reason for seeking transfer is on the ground that the petitioner is residing at Salem, and that she finds it difficult to travel all the way to Erode to attend the hearings at Family Court, Erode, and that too when the original petition for divorce filed by the respondent-husband is yet to be numbered, and that he had filed an I.A.No.1 of 2024 seeking permission to receive the original petition which was filed within one year of marriage, and the said I.A., is pending. Pursuant to the Court summons in the said petition, she appeared before the Family Court, Erode and thereafter, the matter was referred to mediation and she also had appeared before the Mediation Centre.

3. According to the petitioner, the marriage between her and the respondent-husband was on 02.06.2024. However, within a week's time, i.e., on 09.06.2024, the respondent-husband had left to Singapore without



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informing the petitioner-wife and thereafter, he never attended the petitioner's call nor called back. It is her further contention that though the respondent-husband is staying in Singapore, he has filed the petition for divorce in a Court at Erode, only with a view to harass the petitioner. The brother of the petitioner-wife is a person with 80% disability on his right hand, and her father is an aged person earning meager amount, and they are taking care of the petitioner. However, the respondent-husband is not providing any maintenance to the petitioner. In the said circumstances, the petitioner-wife who finds it difficult to meet out her day to day expenses, and entirely depending on her father and her brother, cannot afford to spend for the travel to Erode from Salem. Hence, the petitioner seeks to have this un-numbered OP transferred from Erode to Salem.

4. Heard the learned counsel for the petitioner.

5. The reasons set out in the affidavit filed in support of this transfer petition, and considering the convenience of the petitioner, I am inclined to grant transfer of HMOP proceedings to Family Court at Salem. Accordingly, the Transfer CMP is allowed. The application in I.A.No.1 of



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2024 in HMOP.CFR No.6747 of 2024 is withdrawn from the file of Family Court, Erode and transferred to the file of Family Court at Salem. No costs.

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Consequently, connected miscellaneous petition is closed.

24.04.2025

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes / No
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To:

- 1.The Judge
Family Court, Erode.
- 2.The Judge
Family Court, Salem
- 3.The Section Officer
VR Section
High Court, Madras.



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P.T. ASHA, J.

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