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Tr.CMP.No.474 of 2024 and C.M.P.No.9625 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

Tr.CMP.No.474 of 2024

and

C.M.P.No.9625 of 2024

T.Jaya

... Petitioner

Versus

T.Tharmamani

... Respondent

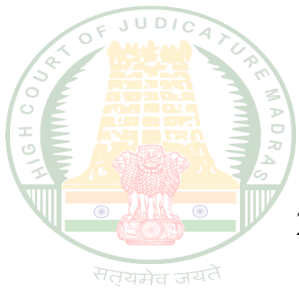
Prayer:- Transfer Civil Miscellaneous Petition filed under Section 24 of the CPC, to withdraw and transfer the HMOP.No.5041 of 2023 pending on the file of V Additional Family Court Chennai to the file of Sub Court, Ambasamuthiram for disposal.

For Petitioner : Mr.D.Kalaivani

For Respondent : No appearance

ORDER

This petition has been filed to withdraw the HMOP.No.5041 of 2023 from the file of the V Additional Family Court Chennai and to transfer the same to the file of the Sub Court, Ambasamuthiram.



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2. The learned counsel appearing for the petitioner / wife would submit that the respondent / husband has filed a petition under Section 13 (i) (i-a) of Hindu Marriage Act seeking to dissolve the marriage that took place between the petitioner and the respondent on 14.07.2011 in HMOP.No.5041 of 2023 and the same is pending on the file of Vth Family Court, Chennai. Further, the petitioner is staying in Alakulam Taluk, Thirunelveli District and also submits that the petitioner also filed Domestic Violence Maintenance case in DVMC No.36 of 2024 on the file of the Judicial Magistrate VIII, Tenkasi is pending. The petitioner is taking care of two children and they are studying in Government school, Alakulam Taluk, Thirunelveli District and she does not have sufficient income to contest the case which is pending before the Family Court, Chennai and she is unable to accommodate her children during the hearing. Further, the petitioner is facing it very difficult to travel to Chennai to attend the court proceedings in HMOP.No.5041 of 2023 filed by the respondent.

3. The learned counsel for the petitioner further submits that since the District has been bifurcated, the Sub Court Ambasamuthiram has been attached with Thirunelveli District and therefore, submits that the case has



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been transferred to the Sub Court, Tenkasi.

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4. There is no representation for the respondent.

5. In view of the above and also considering the submissions made by the learned counsel for the petitioner, there can be no impediment for allowing this petition as prayed for.

6. Accordingly, this transfer civil miscellaneous petition is allowed. The case in HMOP.No.5041 of 2023 is hereby withdrawn from the file of the V Additional Family Court, Chennai and transferred to the file of the Sub Court, Tenkasi. Considering the facts there shall be no orders as to costs. Consequently, connected Civil Miscellaneous Petition is closed.

08.09.2025

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Index : Yes/No

Speaking order : Yes/No

Neutral Case Citation : Yes/No

M. JOTHIRAMAN, J.



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To

1. The V Additional Family Court, Chennai
2. The Sub Court, Tenkasi.
3. The Sub Court, Ambasamuthiram

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