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Tr.C.M.P.No.609 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2025

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

Tr.C.M.P.No.609 of 2024

& CMP.No.13148 of 2024

Bharathi

... Petitioner

vs.

Kavin

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure to withdraw H.M.O.P.No.122 of 2023 from the file of the Sub Court at Rasipuram, Namakkal District and to transfer the same to the file of the Family Court, Salem, Salem District.

For Petitioner : Mr.F.Wellington

For Respondent : No appearance

ORDER

The petitioner is the wife in a matrimonial proceeding. The petitioner seeks transfer of HMOP.No.122 of 2023 pending on the file of the Sub Court at Rasipuram, Namakkal District, to be transferred to the file of the Family Court, Salem.

2. Despite service of notice on the respondent, the respondent has not



chosen to enter appearance either in person or through counsel. The name of the respondent is also printed in the today's cause list. Hence, the respondent is called absent and set exparte.

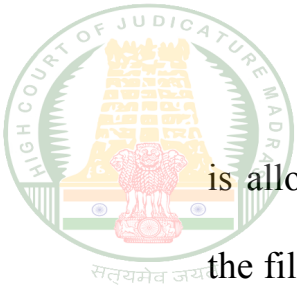
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3. I proceeded to hear the learned counsel for the petitioner. I have also gone through the affidavit filed in support of the transfer petition.

4. The petitioner has expressed the inconvenience and difficulties in attending the hearings at Sub Court, Rasipuram and seeks transfer of HMOP No.122 of 2023 initiated by the respondent. In fact, the petitioner has also filed HMOP No.255 of 2024 seeking dissolution of marriage and the same is pending before the Family Court, Salem.

5. I find prima facie case made out by the petitioner/wife for transfer of HMOP No.122 of 2023 from the file of the Sub Court, Rasipuram to the Family Court, Salem.

6. In the light of the above, this Transfer Civil Miscellaneous Petition



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is allowed. The case in HMOP.No.122 of 2023 is hereby withdrawn from the file of the Sub Court, Rasipuram and transferred to the file of the Family Court, Salem to be tried along with HMOP No.255 of 2024. There shall be no order as to costs. Connected Civil Miscellaneous Petition is closed.

11.06.2025

vum

Index : Yes/No

Speaking Order : Yes / No

Neutral Citation : Yes / No

To

1. The Sub Court, Rasipuram.
2. The Family Court, Salem.

P.B. BALAJI,J.

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