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Tr.CMP.No.493 of 2025
and C.M.P.No.11907 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

Tr.CMP.No.493 of 2025

and

C.M.P.No.11907 of 2025

A.Karthika

... Petitioner

Vs

P.Srinivas

... Respondent

Prayer:- Transfer Civil Miscellaneous Petition filed under Section 24 of the CPC, to withdraw HMOP No.1199 of 2025 pending before the VII Additional Family Court, Chennai, and transfer the same to the file of the Principal Subordinate Court, Mayiladuthurai.

For Petitioner : Mr.R.Shivakumar
for M/s.K.M.Vijayan Associates
For Respondent : Mr.M.S.Ram Prasad

ORDER

This petition has been filed to withdraw HMOP No.1199 of 2025 from the file of the VII Additional Family Court, Chennai, and transfer the same to the file of the Principal Subordinate Court, Mayiladuthurai.



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2. Heard the learned counsel on both sides.

3. The learned counsel appearing for the petitioner would submit that the petitioner got married to the respondent on 13.03.2022 at Vaitheeshwaran Kovil, M.R.M. Thirumana Mandapam, Mayiladuthurai, as per Hindu Rites and Customs. Out of the wedlock, they blessed with a male child aged 2 years old. The respondent filed H.M.O.P. No.1199 of 2025 before the VII Additional Family Court, Chennai, seeking for restitution of conjugal rights making allegations and averments against the petitioner. The petitioner is residing at Sirkazhi along with her old aged parents. The petitioner entirely depends upon her parents. The learned counsel for the petitioner further would submit that the petitioner could not able to travel from Sirkazhi to Chennai with her child alone for attending each and every hearing of the case. Therefore, the case in H.M.O.P.No.120 of 2024 may be withdrawn from the file of the Principal Subordinate Court, Dindigul and transferred to the file of Subordinate Court, Tiruvallur.



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4. *Per contra*, the learned counsel appearing for the respondent/husband would submit that the respondent/husband has filed an application for divorce in HMOP.No.1199 of 2025 seeking for restitution of conjugal rights. He would further submit that the respondent / husband has no objection in allowing this petition.

5. I have gone through the affidavit filed in support this petition and I find merit in the submissions made by the learned counsel for the petitioner/wife and in view of no objection having been stated by the learned counsel for the respondent, and also considering the submissions made by the learned counsel on either side, there can be no impediment for allowing this petition as prayed for.

6. The personal appearance of the respondent shall dispensed with for the present as and when required by the Principal Subordinate Court, Mayiladuthurai, the respondent shall appear.

7. Accordingly, this Transfer Civil Miscellaneous Petition is



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allowed. The case in HMOP.No.1199 of 2025 is hereby withdrawn from the file of the VII Additional Family Court, Chennai, and transferred to the file of the Principal Subordinate Court, Mayiladuthurai. Considering the facts there shall be no orders as to costs. Consequently, connected Civil Miscellaneous Petition is closed.

09.10.2025

mtl

Index : Yes/No

Speaking order : Yes/No

Neutral Case Citation : Yes/No

To

1. The VII Additional Family Court, Chennai.
2. The Principal Subordinate Court, Mayiladuthurai.

M. JOTHIRAMAN, J.



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