



Tr.C.M.P.No.584 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :13.08.2025

CORAM:

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

Tr.C.M.P.No.584 of 2025 and CMP No.14388 of 2025

Mrs.Sangeetha

... Petitioner

vs

Sathish

.. Respondent

Petition filed under Section 24 of Civil Procedure Code to withdraw HMOP No.218 of 2023, on the file of Sub Court, Tenkasi and transfer the same to Family Court, Chennai.

For Petitioner : Mr.C.Arun Kumar

For Respondent : No appearance

ORDER

Pursuant to the order of this Court dated 18.07.2025, learned counsel for the petitioner has effected paper publication in the issue of Tamil Daily “Malai Malar” dated 23.07.2025. Even today, the respondent has neither chosen to appear in person, nor through counsel. The respondent is called absent and set exparte. Therefore, I have proceeded to hear the learned counsel for the petitioner.



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WEB COPY 2. The petitioner/wife has filed the present transfer petition, seeking transfer of HMOP No.218 of 2023, filed by the respondent/husband from the file of Subordinate Court, Tenkasi to Family Court, Chennai.

3. Learned counsel for the petitioner takes me through the affidavit filed in support of the transfer petition and contends that the petitioner is presently residing in Porur and therefore, she is not in a position to attend the proceedings pending before Subordinate Court, Tenkasi and hence she filed the present petition seeking for transfer to Family Court, Chennai.

4. In view of the fact that the respondent/husband has not appeared despite service of notice as well as paper publication to contest the transfer request, I am inclined to allow Tr.C.M.P as prayed for.

5. Accordingly, Tr.C.M.P is allowed and the proceedings in HMOP No.218 of 2023 pending on the file of Sub Court,Tenkasi is withdrawn and the same is transferred to Principal Family Court, Chennai.

6. Learned counsel for the petitioner has also brought to my notice that



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the petitioner/wife herself initially has chosen to file HMOP No.74 of 2023 for dissolution of marriage, which is also pending before Sub Court, Tenkasi and therefore seeks transfer of HMOP No.74 of 2023 to Family Court, Chennai to be tried along with HMOP No.218 of 2023.

7. In the light of the above H.M.O.P.No.218 of 2023 is withdrawn from the file of Sub Court, Tenkasi and the same is transferred to Principal Family Court, Chennai to be tried along with HMOP No.74 of 2023, which is pending before the Sub Court, Tenkasi, which is hereby suo-motu directed to be transferred to Principal Family Court, Chennai for joint trial.

8. The Sub Court, Tenkasi is directed to send the entire records relating to HMOP Nos.218 of 2023 and 74 of 2023 to the file of Principal Family Court, Chennai forthwith.

9. The Principal Family Court, Chennai, at its discretion shall take up HMOP Nos.218 of 2023 and 74 of 2023, or assign it to any of the Additional Family Courts, subject to the pendency of cases before the Principal Family Court, Chennai/work load, etc.



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P.B.BALAJI.,J.

sr

No costs. Consequently, connected miscellaneous petition is closed.

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Index: Yes/No

Website:yes/no

Speaking Order/Non-speaking Order

sr

To

1. The Sub Court, Tenkasi
2. The Principal Family Court, Chennai

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