



Tr.C.M.P.No.778 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :10.07.2025

CORAM:

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

Tr.C.M.P.No.778 of 2024 and CMP No.17040 of 2024

Pushpalatha

... Petitioner

VS

Radhakrishnan

.. Respondent

Petition filed under Section 24 of Civil Procedure Code to withdraw HMOP No.16 of 2024, on the file of Subordinate Court, Gingee, Villupuram and transfer the same to the Family Court, Puducherry.

For Petitioner : Mr.B.Balavijayan

For Respondent : No appearance

ORDER

The wife, who is the respondent in HMOP No.16 of 2024 pending on the file of Subordinate Court, Gingee, is the revision petitioner herein, seeking transfer of the said proceedings to Family Court, Puducherry.

2. Despite service of notice, the respondent has neither chosen to appear in person nor through counsel. Therefore, the respondent is called absent and set exparte. Therefore, I have proceeded to hear the learned counsel for the



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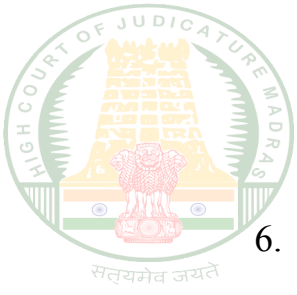
petitioner.

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3. Learned counsel for the petitioner invited my attention to the averments set out in the affidavit filed in support of the transfer petition and contended that the petitioner has filed DVC proceedings before the Magistrate Court at Pondicherry even in the year 2018 and only to harass the petitioner/wife, the respondent/husband has chosen to file HMOP No.16 of 2024 under Section 9 of the Hindu Marriages Act, 1955 seeking restitution of conjugal rights. Learned counsel further states that the petitioner has two minor children to take care and therefore, she would find it inconvenient to attend the proceedings before the Sub Court, Gingee,

4. I am satisfied with the reasons assigned by the petitioner/wife, seeking transfer of the proceedings from the file of Sub Court, Gingee to Family Court, Puducherry.

5. Accordingly, Tr.C.M.P is allowed and the proceedings in HMOP No.16 of 2024 pending on the file of Subordinate Court, Gingee, Villupuram District is withdrawn and transferred to Family Court, Puducherry.



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6. The Subordinate Court, Gingee is directed to send the entire records relating to HMOP No.16 of 2024 to the file of Family Court, Puducherry forthwith.

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 Subordinate Court, Gingee, Villupuram District.
2. The Family Court, Puducherry



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P.B.BALAJI.,J.

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