



Tr.C.M.P.No.919 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **24.01.2025**

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

Tr.C.M.P.No.919 of 2024
& C.M.P.No.20059 of 2024

Manoranthini A

.. Petitioner

Vs

B. Arunsurya

.. Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of the C.P.C., to withdraw the petition in HMOP No.258 of 2021 pending on the file of the Subordinate Court, Kanchipuram and transfer the same to the III Additional Family Court, Chennai to be tried along with HMOP No.3038 of 2023 pending by appreciating the above said facts and circumstances of the case.

For Petitioner : Mr. Purushothaman Reddy

For Respondent : Mr S. Prabhu

ORDER

This transfer petition seeks for withdrawal of HMOP No.258 of 2021 on the file of Subordinate Court at Kanchipuram and transfer the same to the file of the III Additional Family Court at Chennai to be heard



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and tried along with HMOP No.3038 of 2023.

WEB COPY 2. I heard both sides . I have gone through the affidavit.

3. There is no dispute in relationship between the parties. The petitioner married the respondent on 10.09.2017. Due to disputes and differences, the parties have separated. The respondent/husband initiated proceedings in HMOP No.258 of 2021 seeking restitution of conjugal rights before the Sub Court at Kancheepuram. The petitioner/wife in turn presented HMOP No.3038 of 2023 for divorce before the III Additional Family Court at Chennai. Pleading that appearing before the Court at Kanchipuram is affecting her education, she has moved this transfer petition.

4. Notice was ordered and Mr. S. Prabhu, has entered appearance for the respondent. Mr. S.Prabhu pleads that travelling from Kanchipuram to the Family Court at Chennai for every hearing would create a difficulty for the respondent/husband. He states that the order of the Court must not prejudice either party and therefore, he requested that taking into account the convenience of both the parties, the proceedings may be transferred to Sub Court, Tambaram.



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WEB COPY 5. Mr. Purushothaman Reddy, who is appearing through video conferencing also does not have any serious objection to this course of action.

6. Considering the plea of both sides, HMOP No. 258 of 2021 on the file of the Sub Court at Kancheepuram is withdrawn and so is proceeding before the III Additional Family Court at Chennai in O.P.No.3038 of 2023. Both the proceedings are transferred to the file of the Subordinate Court at Tambaram for joint trial.

7. With the above observations, the Transfer Petition is ordered. No costs. Consequently, connected miscellaneous petition is closed.

24.01.2025

Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation:Yes/No

mrp

To

1.The Subordinate Court, Kancheepuram.

2. The III Additional Family Court, Chennai.



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3. The Subordinate Court, Tambaram, Chennai.
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V. LAKSHMINARAYANAN,J.

mrp

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