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TR CMP No. 1035 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-07-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

TR CMP No. 1035 of 2024

AND

CMP NO. 22558 OF 2024

1. S. Divya

D/o. Subramanian No. 42, Mathankoil

Street, Srivilliputhur, Virudhunagar

District 626 125

Petitioner(s)

Vs

1. M. Sundar

S/o. Muthu, No. 3/319, Main Road,

Padalur (West), Perambalur District

621 109

Respondent(s)

PRAYER

The Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure seeking to withdraw the proceedings in H.M.O.P. No. 2345 of 2024 now pending on the file of Principal Family Court, Chennai and transfer the same to the file of the Family Court, Thiruchirapalli, to be tried along with MC. No. 119 of 2023.



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For Petitioner(s): Ms.C.Abinaya for Mr.P.Raja

For Respondent(s): Mrs.Lakshmi Raja

ORDER

The petitioner / wife seeks transfer of HMOP 2345/2024 of on the file of the Principal Family Court, Chennai to the Family Court, Thiruchirapalli to be tried along with [MC.No.119](#) of 2023 which is pending before the Family Court, Thiruchirapalli.

2.I have gone through the affidavit filed in support of the application seeking transfer.

3.The learned counsel for the respondent also fairly states that the respondent has no serious objection for transfer of the HMOP proceedings as prayed for.

4.In the light of the above, I am inclined to transfer [HMOP.No.2345/2024](#) on the file of Family Court, Chennai to the file of the Family Court, Thiruchirapalli tried along with [MC.No.119](#) of 2023. Considering the pendency



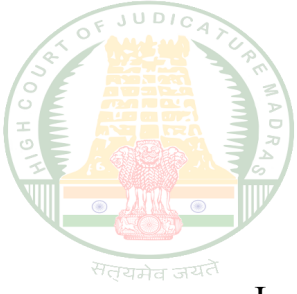
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of the proceedings for the past two years, the Family Court, Tiruchirappalli is directed to expedite the hearing in the said proceedings and ensure disposal of the same on or before 31.03.2026.

5. The learned counsel for the petitioner would state that despite having agreed to bare the entire school fees for the two children and the same has also been recorded by this Court in the order dated 27.09.2023 in [Tr.CMP.No.164/2020](#), the respondent has not come forward to pay any amounts.

6. However, the learned counsel for the respondent states that the school fees have been paid for both the children only by the respondent/husband.

7. In the light of the above, it is clarified that in the event of the respondent having not paid the fees as undertaken before this Court and also recorded in the order dated 27.09.2023, it shall be open to the petitioner to file a memo before the Family Court, Thiruchirappalli, enclosing the bills or receipts in respect of fees already paid by the petitioner/wife, and upon being furnished with the copy of the said memo and supporting documents regarding the school fees, if amounts have not been settled already, the same shall be settled within a period of two weeks thereafter, without seeking any further extension of time.



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In the result, the transfer Civil Miscellaneous Petition is **allowed** as prayed for. No costs. Consequently, the connected miscellaneous petition is closed.

29-07-2025

jrs

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Judge, Family Court, Thiruchirappali.
2. The Judge, Principal Family Court, Chennai.



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P.B.BALAJI J.

jrs

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