



Tr.C.M.P.No.1152 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **05.03.2025**

CORAM

THE HONOURABLE MS. JUSTICE P.T.ASHA

Tr.C.M.P.No.1152 of 2023

and

C.M.P.No.27719 of 2023

A.Deenu Mol

... Petitioner

Vs

P.Ravirajan

... Respondent

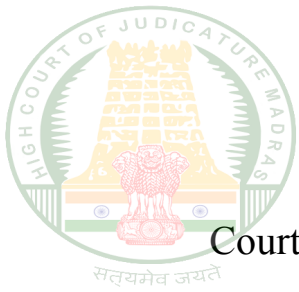
PRAYER: Petition filed under Section 24 of the Code of Civil Procedure, to withdraw the case in H.M.O.P.No.179 of 2022 from the file of the Family Court, Cuddalore and transfer the same to the Family Court, Tiruppur.

For Petitioner : Mr.R.Radha Pandian

For Respondent : Mr.G.Prabhakar

ORDER

The respondent/wife has filed the above petition seeking to transfer H.M.O.P.No.179 of 2024 pending on the file of the Family



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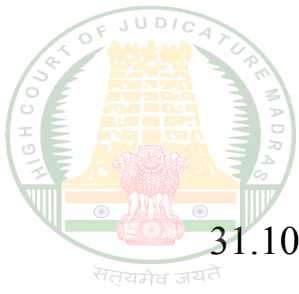
Court, Cuddalore to the Family Court, Tiruppur.

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2. The petitioner's request for transfer is on the following basis.

- a) The petitioner is living at Tiruppur with her parents.*
- b) She has after a very great struggle been appointed as a Professor in the Kongu Engineering College, Perundurai.*
- c) The daughter is also being taken care of by her parents, which is very difficult, since her father is a cancer patient.*
- d) The petitioner's family is now dependent on her.*
- e) The respondent/husband has not paid any maintenance to either the petitioner or his minor child.*

3. Originally the respondent had filed O.P.No.297 of 2021 on the file of the Family Court, Cuddalore for restitution of conjugal rights and he had obtained an *ex-parte* order in the said petition. Thereafter, he has immediately come forward to file H.M.O.P.No.179 of 2022 for divorce. Since the matter was pending before the Family Court, Cuddalore and as the petitioner had found it difficult to travel to Cuddalore and had not entered appearance, she was set *ex-parte* on



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31.10.2022. The petitioner has filed I.A.No.5 of 2023 to set aside this *ex-parte* order. The petitioner is taking care of her minor child and would find it difficult to undertake a journey from Tiruppur to Cuddalore both on account of her job as well as on account of her minor daughter being in her custody. Therefore, her request appears reasonable.

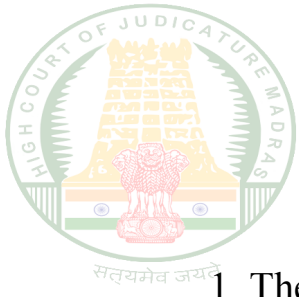
4. Accordingly, the Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.179 of 2022 pending on the file of the Family Court, Cuddalore is withdrawn and transferred to the file of the Family Court, Tiruppur. The Family Court, Tiruppur shall take up the application to set aside the *ex-parte* order passed against the petitioner on 31.10.2022 and pass orders thereon. No costs. Consequently, connected miscellaneous petition is closed.

05.03.2025

srn

To

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1. The Family Court, Cuddalore.
2. The Family Court, Tiruppur.

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P.T. ASHA, J.,

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