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TR.CMP.No.1190 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2025

CORAM :

**THE HONOURABLE MR. JUSTICE P.B.BALAJI**

TR.CMP.No.1190 of 2023

and

CMP.No.28598 of 2023

C.Priya

...Petitioner

Vs.

T.Manoj

...Respondent

Transfer Civil Miscellaneous Petition filed under Section 151 of Code of Civil Procedure to withdraw and transfer the above case in HMOP.No.106 of 2023 from the file of the Sub Court, Thiruvavur to the Family Court, Chennai.

For Petitioner : M/s.S.Lakshmikanth

For Respondent : Mr.M.I.Javid Akbar



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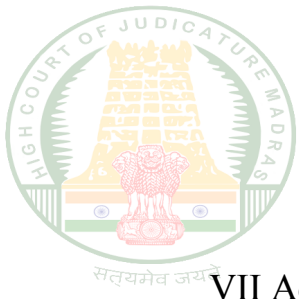
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**ORDER**

The petitioner/wife seeks transfer of HMOP.No.106 of 2023 pending on the file of the Sub Court, Thiruvarur to the file of the Family Court, Chennai.

2. Learned counsel for the petitioner/wife submits that, in view of the petitioner's present residence being in Chennai, it would be very much inconvenient for her to travel all the way to Thiruvarur to attend the HMOP proceedings before the Sub Court, Thiruvarur. Learned counsel also submits that the maintenance case in M.C.No.525 of 2024 has been filed by the petitioner/wife as against the respondent/husband before the VII Additional Family Court, Chennai. Learned counsel, therefore, prays for transfer of HMOP.No.106 of 2023 to the file of the VII Additional Family Court, Chennai.

3. Per contra, the learned counsel for the respondent/husband fairly submits that in view of the pendency of the MC proceedings before the VII Additional Family Court, Chennai, the respondent/husband has no serious objection for transfer of the HMOP proceedings to the file of the



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VII Additional Family Court, Chennai to be tried along with M.C.No.525 of 2024, in order to avoid multiplicity of proceedings and conflicting orders.

4. I have heard the learned counsel on either side and I have also perused the affidavit filed in support of this transfer petition.

5. In the light of the above submissions made by the learned counsel for the parties and also considering that the HMOP proceedings is at the stage of cross of P.W.1, this Court is inclined to allow this transfer petition in the following terms :-

(i) The case in HMOP.No.106 of 2023 is withdrawn from the file of the Sub Court, Thiruvavarur and the same is transferred to the file of the VII Additional Family Court, Chennai to be simultaneously tried with M.C.No.525 of 2024.

(ii) The transferee Court shall expedite the completion of cross examination of P.W.1., and thereafter, shall not insist upon the physical presence of the respondent/husband for all hearings, except where it would be absolutely necessary.



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(iii) The enquiry in MC proceedings and the trial in HMOP proceedings shall be expedited and the VII Additional Family Court, Chennai shall dispose of the proceedings in the above cases finally on merits and in accordance with law on or before 31.01.2026, after hearing the parties.

6. With the above observations and directions, this Transfer Civil Miscellaneous Petition stands allowed. No costs. Consequently, the connected Miscellaneous Petition is closed.

7. Registry is directed to comply with the order of this Court dated 18.02.2025, directing deletion of the name of Mr.Swarnam J.Rajagopalan, learned counsel for the petitioner, which shall be carried out in future orders as well as in the present order.

**18.08.2025**

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|                |            |
|----------------|------------|
| Index          | : Yes / No |
| Speaking order | : Yes / No |
| NCC            | : Yes / No |

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To

1. The Sub Court,  
Thiruvarur.
2. The VII Additional Family Court,  
Chennai.



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**P.B. BALAJI, J.**

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