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Tr.CMP.No.1263 of 2024 and C.M.P.No.27421 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

Tr.CMP.No.1263 of 2024

and

C.M.P.No.27421 of 2024

V. Sindhu

... Petitioner

Versus

D. Ramesh

... Respondent

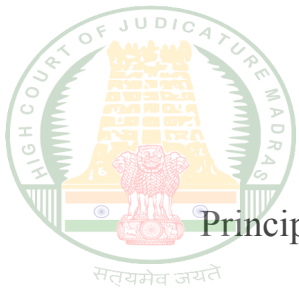
Prayer:- Transfer Civil Miscellaneous Petition filed under Section 24 of the CPC, to withdraw the OP No.3597 of 2024, from the file of the learned 1st Additional Principal Judge, Family Court, Chennai and transfer the same to the learned Principal Sub-Court Court, Hosur, to try along with O.P. No. 167 of 2024.

For Petitioner : Mr.N. Manoharan

For Respondent : No appearance

ORDER

The petitioner / wife has come up with the above transfer petition, seeking transfer of O.P.No.3597 of 2024 from the file of the 1st Additional



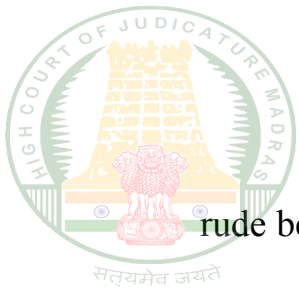
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Principal Judge, Family Court, Chennai, to the Principal Sub-Court Court,
Hosur, to try along with O.P. No. 167 of 2024.

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2. Despite service of notice in the above transfer petition, the respondent has neither chosen to appear in person nor through counsel. The respondent is called and set ex-parte. Hence, I have proceeded to hear the learned counsel for the petitioner. I have also gone through the affidavit filed in support of the request for transfer.

3. The petitioner has stated that due to the arrogant attitude and behavior of the respondent, she has filed HMOP No.167 of 2024 has been filed under Section 13(1)(ia) of the Hindu Marriage Act, 1955, on the file of the Principal Sub-Court, Hosur, seeking for divorce from the respondent. After entering appearance in the aforesaid HMOP, the respondent has filed another O.P. No.3597 of 2024 on the file of the 1st Additional Principal Judge, Family Court, Chennai under Section 9 of the Hindu Marriage Act, for restitution of conjugal rights. Since both cases are one and the same, they are to be tried jointly. Further, she was afraid of traveling to Chennai, because of



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rude behavior of the respondent and his parents and it will be very difficult to travel from Krishnagiri to Chennai for attending the proceedings. Hence, seeks the relief as prayed for. I am satisfied that the petitioner has made out good ground for transferring the said transfer petition.

4. In the light of the above, this Transfer Civil Miscellaneous Petition is allowed. The case in .O.P.No.3597 of 2024 is withdrawn from the file of the 1st Additional Principal Judge, Family Court, Chennai, and transferred to the file of the Principal Sub-Court Court, Hosur, to try along with O.P. No. 167 of 2024. Considering the facts, there shall be no orders as to costs. Consequently, connected Civil Miscellaneous Petition is closed.

12.09.2025

Lbm

Index : Yes/No

Speaking order : Yes/No

Neutral Case Citation : Yes/No

To

1. The 1st Additional Principal Judge, Family Court, Chennai,
2. The Principal Sub-Court Court, Hosur,

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M. JOTHIRAMAN, J.

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