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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2025

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THE HONOURABLE MR JUSTICE P.B. BALAJI

Tr.C.M.P.No.1307 of 2024

& CMP.Nos.28426 & 28428 of 2024

S.Velmurugan

... Petitioner

VS.

I.Bhagyalakshmi

... Respondent

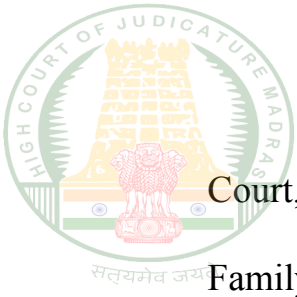
PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure to withdraw HMOP.No.61 of 2017 from the file of the Sub Court, Gudiyatham and to transfer the same to the Family Court, Vellore and to try along with M.C.No.27 of 2022 pending before the Family Court, Vellore.

For Petitioner : M/s.M.Adhishree

For Respondent : No appearance

ORDER

This petition has been filed to withdraw HMOP.No.61 of 2017 from the file of the Sub Court, Gudiyatham and to transfer the same to the Family



Court, Vellore and to try along with M.C.No.27 of 2022 pending before the Family Court, Vellore.

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2.Heard M/s.Adhishree, learned counsel for the petitioner.

3.The learned counsel for the petitioner would submit that the respondent has not chosen to enter appearance despite service of notice. I find that the service of notice has been completed on the respondent and the name of the respondent is also printed in the cause list for list of today's cases. The respondent is called and set ex-parte.

4.The learned counsel for the petitioner would further submit that M.C.No.33 of 2018, which had been filed before the Family Court, Cuddalore has since been transferred to the file of the Family Court, Vellore. It is also her specific contention that as on date, both the husband and the wife reside only within the jurisdiction of Vellore District and therefore, she would submit that there is absolutely no prejudice would be caused to the respondent, if the transfer request made by the petitioner/husband is acceded to.



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5.I have gone through the affidavit filed in support of the transfer petition as well. I find merit in the submissions made by the learned counsel for the petitioner.

6.In view of the above and also subsequent developments that have been highlighted by the learned counsel for the petitioner, there can be no impediment for Tr.CMP.No.1307 of 2024 being allowed as prayed for. Accordingly, this Transfer Civil Miscellaneous Petition is allowed. The case in HMOP.No.61 of 2017 is hereby withdrawn from the file of the Sub Court, Gudiyatham and transferred to the file of the Family Court, Vellore. Considering that the petitions are pending from 2017 onwards, the Family Court, Gudiyatham, shall expedite final hearing/disposal of the matters both in HMOP.No.61 of 2017 as well as M.C.No.33 of 2018, expeditiously and at any rate not later than 31.01.2026. There shall be no order as to costs. Connected Civil Miscellaneous Petitions are closed.

03.06.2025

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To

- 1.Sub Court, Gudiyatham.
- 2.The Family Court, Vellore.

P.B. BALAJI,J.

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