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Tr.CMP.No.118 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2025

CORAM:

THE HONOURABLE Ms.JUSTICE P.T.ASHA

Tr.CMP.No.118 of 2025
and CMP.No.2477 of 2025

G.Jayanthi

... Petitioner / 1st Respondent

Vs

1.Gunasekaran
2.Muthukumar

...Respondents /
Petitioner, 1st Respondent

Prayer :- Transfer Civil Miscellaneous Petition filed under Section 24 of CPC., praying to withdraw FCOP.No.293 of 2017 pending on the file of the Family Court at Salem and transfer the same to Family Court at Chennai.

For Petitioner : Mr.M.Jaikumar

ORDER

Eight years after the filing of the divorce proceedings before the Family Court, Salem in FCOP.No.293 of 2017 by the first respondent-husband, the petitioner-wife who is the first respondent therein, has filed the



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instant Transfer CMP seeking for transfer of the said FCOP petition to
Family Court, Chennai.

2. A mere perusal of the records would clearly indicate that the petitioner-wife has been participating in the proceedings before the Family Court at Salem since 2017. However, the petitioner has not stated as to whether a counter has been filed by her to the petition for divorce filed by the first respondent herein. Be that as it may, from the year 2017, the petitioner is before the Family Court, Salem, where the presence of the parties are required and now, at this late stage the petitioner has come forward with a petition for transfer. No valid reasons have been given for the delay in approaching this Court or the intervening circumstances that has now necessitated the filing of this transfer CMP. In fact, an unregistered lease deed said to have been entered into between the petitioner-wife and one J.Panchatcharm, has been filed in the typed set of papers of the present Transfer CMP, to indicate that the petitioner is residing at Chennai. However, this lease deed appears to have been entered in the year 2021, but the petition for transfer has been moved now only, without giving any adequate reasons.



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3. In view of the above, this Court is not in a position to entertain the present transfer petition and accordingly Transfer CMP is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes /No

Neutral Citation: Yes / No
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To:

- 1.The Family Court, Salem.
- 2.The Family Court, Chennai.
- 3.The Section Officer
VR Section
High Court, Madras.



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P.T.ASHA,J.,

ds

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