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Tr.CMP.No.1382 of 2024 and C.M.P.No.29743 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

Tr.CMP.No.1382 of 2024

and

C.M.P.No.29743 of 2024

Mr.Shreyansh Ajit Kumar,
13, Periyanaicken Street,
Sowcarpet, Chennai - 600 001.

... Petitioner

New Residence:

Flat No.6-A, Arihanth Vihana Apartment,
Kilpauk, Opposite to Rajaji Bhavans School,
Chennai - 600 010.

Last Known Address of the respondent in the USA.
3511 Tanelorn Drive,
Apartment 1925, Henrico, VA 23294 USA.

Versus

Dr.Monica P.Jain,
C-1301, Prince Courtyard,
13th Floor, Poonamalle High Road,
Egmore, Chennai - 600 008.

... Respondent

Prayer:- Transfer Civil Miscellaneous Petition filed under Section 24 of the CPC, to withdraw HMOP No.3198 of 2023 pending before the Hon'ble II Additional, Family Court, Chennai and transfer the same to the file of the Hon'ble III Additional, Family Court, Chennai to try the same along with M.C.No.460 of 2023 and H.M.O.P.No. 4132 of 2023.



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For Petitioner : Mr.G.Kalyan Jhabakh
For Respondent : Ms.M.Jayanthi

ORDER

This petition has been filed to withdraw HMOP No.3198 of 2023 from the file of the II Additional, Family Court, Chennai and to transfer the same to the file of the the III Additional, Family Court, Chennai to try the same along with M.C.No.460 of 2023 and H.M.O.P.No. 4132 of 2023.

2. Heard the learned counsel on both sides.

3. The learned counsel appearing for the petitioner would submit that the petitioner / wife filed petition for divorce in HMOP.No.3198 of 2023 along with M.C.No.460 of 2023 before the II Additional Family Court, Chennai, against which, the respondent / husband also filed an application for divorce in HMOP.No.4132 of 2023 before the III Additional Family Court, Chennai. The said HMOP.No.3198 of 2023 has been referred to mediation for arriving at a settlement even by the trial Court, as well as by this Court,



Tr.CMP.No.1382 of 2024 and C.M.P.No.29743 of 2024

but, all went in vain. Therefore, the case in HMOP.No.3198 of 2023 may be withdrawn from the file of the II Additional Family Court, Chennai and transferred to the file of the III Additional Family Court, Chennai.

4. *Per contra*, the learned counsel appearing for the respondent/husband would submit that the respondent/husband has filed an application for divorce in HMOP.No.4132 of 2023 on the ground of cruelty. He would further submit that the respondent/husband has no objection in allowing this petition.

5. I have gone through the affidavit filed in support this petition and I find merit in the submissions made by the learned counsel for the petitioner/wife and in view of no objection having been stated by the learned counsel for the respondent, and also considering the submissions made by the learned counsel on either side, there can be no impediment for allowing this petition as prayed for.

6. Accordingly, this transfer civil miscellaneous petition is allowed. The case in HMOP.No.3198 of 2023 is hereby withdrawn from the file of



Tr.CMP.No.1382 of 2024 and C.M.P.No.29743 of 2024

the II Additional Family Court, Chennai and transferred to the file of the

III Additional Family Court, Chennai to be tried along with HMOP.No.4132

of 2023 on the file of the III Additional Family Court, Chennai.

Considering the facts there shall be no orders as to costs. Consequently,

connected Civil Miscellaneous Petition is closed.

08.09.2025

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Index : Yes/No

Speaking order : Yes/No

Neutral Case Citation : Yes/No

To

1. The II Additional Family Court, Chennai.
2. The III Additional Family Court, Chennai.



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Tr.CMP.No.1382 of 2024 and C.M.P.No.29743 of 2024

M. JOTHIRAMAN, J.

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Tr.CMP.No.1382 of 2024
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