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Tr.CMP No.117 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-01-2026

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

TR CMP No. 117 of 2024

and

CMP No.2550 of 2024

E.Manjula @ Tharani

...Petitioner(s)

Vs

A.Hariharan

...Respondent(s)

Prayer in Tr.CMP No.117 of 2024:

Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, pleaded to withdraw the H.M.O.P. No. 330 of 2023 pending on the file of the Family Court at Thiruvallur and transfer the same to the file of Subordinate Judge Court, Thiruvattiyur.

Prayer in CMP No.2550 of 2024: Petition filed under Section 151 of Civil Procedure Code, pleaded to stay all further proceedings in the H.M.O.P. No. 330 of 2023 on the file of the Family Court at Thiruvallur pending disposal of the above Transfer Civil Miscellaneous Petition.

For Petitioner(s) : Mr.M.Nagoor Moideen

For Respondent(s) : Mr.N.Jayachander



Tr.CMP No.117 of 2024

ORDER

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2. This Transfer Civil Miscellaneous Petition has been filed seeking withdrawal of H.M.O.P. No. 330 of 2023, pending on the file of the Family Court, Thiruvallur and transfer the same to the file of Subordinate Court, Thiruvattiyur.
3. The marriage between the petitioner and the respondent was solemnized on 25.02.2021 at Manali, Chennai as per Hindu rites and customs. The respondent/husband has instituted the divorce proceedings in H.M.O.P. No.330 of 2023 before the Family Court at Thiruvallur.
4. According to the petitioner, she has been living separately and is now residing with her parents at Manali, Chennai. The petitioner pleads that she is unemployed and dependent on her aged parents, and has to travel for about 80 Kms to attend the Family Court at Thiruvallur, causing hardship.
5. This Court notes that both the Courts viz., the Family Court, Thiruvallur and the Subordinate Court, Thiruvattiyur, are Courts functioning within the same civil jurisdiction/district judiciary. In such circumstances, an efficacious statutory remedy is available to the petitioner to invoke Section 24 CPC



Tr.CMP No.117 of 2024

before the Principal District Judge having administrative control over both the said Courts, for appropriate orders, if so advised.

6. In the absence of any exceptional circumstance made out for this Court to exercise its discretionary jurisdiction under Section 24 CPC in the first instance, this Transfer Civil Miscellaneous Petition is not entertained and stands dismissed, leaving it open to the petitioner to approach the Principal District Judge, if so advised.

7. Accordingly, TR.C.M.P. No.117 of 2024 is dismissed. Interim stay granted by this Court on 16.02.2024 shall stand vacated and C.M.P. No.2550 of 2024 is closed. There shall be no order as to costs.

12.01.2026

Index:Yes/No
Neutral Citation:Yes/No
Internet: Yes
dsn



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Tr.CMP No.117 of 2024

DR. A.D.MARIA CLETE

dsn

To

1. The Family Court, Thiruvallur.
2. The Subordinate Court, Thiruvattiyur.

TR CMP No. 117 of 2024
and CMP No.2550 of 2024

12.01.2026

4/4