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Tr.CMP No.560



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-01-2026

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

TR CMP No. 560 of 2025

and

CMP No.13763 of 2025

Tmt.T.Sangavai

...Petitioner(s)

Vs.

N.Ganesh Prabhu

...Respondent(s)

Prayer in Tr.CMP No.560 of 2025:

Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, pleaded to withdraw the H.M.O.P.No.58 of 2025 on the file of the Principal Sub Court, Kumbakonam and transfer the same to the Principal Sub Court, Kancheepuram and thus render justice.

Prayer in CMP No.13763 of 2025: Petition filed under Section 151 of Code of Civil Procedure, pleaded to stay all further proceedings in H.M.O.P.No.58 of 2025 on the file of the Principal Sub Court, Kumbakonam pending disposal of the above Transfer Civil Miscellaneous Petition.

For Petitioner(s) : Mr.M.Santhanamari.

For Respondent(s) : No appearance.



ORDER

Heard.

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2. This Transfer Civil Miscellaneous Petition is filed by the wife under Section 24 CPC seeking withdrawal of H.M.O.P. No.58 of 2025 pending on the file of the Principal Sub Court, Kumbakonam and transfer of the same to the file of the Principal Sub Court, Kancheepuram.

3. The marriage between the parties solemnized on 27.01.2010. The respondent/husband has filed H.M.O.P. No.58 of 2025 for Restitution of conjugal rights before the Principal Sub Court, Kumbakonam. The petitioner/wife submits that she is residing at Kancheepuram along with the children and is working at Walajabad, Kancheepuram District and the respondent is also working in Kancheepuram.

4. None appeared for the respondent, though a counter has been filed. In the counter, the respondent has stated that the petitioner and children are residing at Kumbakonam/Thiruvavur with her parents. However, there is no specific denial of the petitioner's assertion that she is residing and working at Kancheepuram.



5. Having regard to the petitioner's residence and employment at Kancheepuram as stated on affidavit and in the absence of any specific denial thereto, this Court is satisfied that the transfer sought is justified.

6. Accordingly, Tr.C.M.P. No.560 of 2025 is allowed. The proceedings in H.M.O.P. No.58 of 2025 before the Principal Sub Court Kumbakonam, is withdrawn and transferred to the file of the Principal Sub Court, Kancheepuram. The Principal Sub Court Kumbakonam, shall transmit the entire records to the Principal Sub Court, Kancheepuram, within three (3) weeks from the date of receipt of this order and the Principal Sub Court, Kancheepuram shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order. Interim stay granted by this Court on 19.06.2025 shall stand vacated and C.M.P. No.13763 of 2025 is closed. There shall be no order as to costs.

27.01.2026

Index:Yes/No
Neutral Citation:Yes/No
Internet:Yes
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DR. A.D.MARIA CLETE

dsn

To

1. The Principal Sub Court, Kumbakonam
2. The Principal Sub Court, Kancheepuram

TR CMP No.560 of 2025
and CMP No.13763 of 2025

27.01.2026