



WEB COPY

TR CMP No. 734 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-02-2026

CORAM

THE HON'BLE DR.JUSTICE A.D.MARIA CLETE

TR CMP No. 734 of 2024

and

CMP NO. 16219 of 2024

E.Nancy

..Petitioner

Vs

J.Ashok Daniel

..Respondent

Prayer in TR CMP No. 734 of 2024: Petition filed under section 24 of CPC to withdraw the proceedings in IDOP NO.1105/2024 pending before the II Additional Family Court, Chennai and transfer the same to the Family Court, Thanjavur.

Prayer in CMP No. 16219 of 2024: Petition to stay all further proceedings in IDOP NO.1105/2024 on the file of the II Additional Family Court, Chennai pending disposal of the above Transfer CMP

For Petitioner: Mr.J.Antony Jesus

For Respondent: Mr.T.Nixon



Order

Heard.

2. This Transfer Civil Miscellaneous Petition is filed under Section 24(1) C.P.C. to withdraw I.D.O.P. No.1105 of 2024 pending on the file of the II Additional Family Court, Chennai and to transfer the same to the file of the Family Court, Thanjavur.

3. The petitioner is the wife and the respondent is the husband. The marriage between the parties was solemnized on 30.01.2023 at Christ Church, Mount Road/Anna Salai, Chennai, as per Christian rites and customs.

4. The respondent/husband has filed I.D.O.P. No.1105 of 2024 on the file of the II Additional Family Court, Chennai, seeking dissolution of marriage by a decree of divorce.

5. The petitioner, has states , that she is residing at Thanjavur; she has no independent income and is depending on her mother; that she does not have adequate support to travel to Chennai for each and every hearing; that her mother is not in a position to accompany her due to ailments; and therefore, she seeks transfer of the matrimonial proceedings to Thanjavur



for her effective participation.

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6. However, it is now brought to the notice of this Court that in the main proceedings, namely, I.D.O.P. No.1105 of 2024, the petitioner/wife has already been set ex parte on 05.04.2025, and no steps have been taken by the petitioner to set aside the said ex parte order.

7. In view of the above, nothing survives for consideration in this Transfer C.M.P. With the above observation, the Transfer Civil Miscellaneous Petition is liable to be dismissed. Consequently, C.M.P. No.16219 of 2024 is closed. There shall be no order as to costs.

05-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

SHL

To

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



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DR.A.D.MARIA CLETE J.

SHL

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and
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