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TR CMP No. 935 01 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-07-2026

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

TR CMP No. 935 of 2025 and CMP No.21270 of 2025

1. Shanmugapriya
W/o. Sathish, No.2, Palladam Road, Ulavar
Santhai Backside, Karuvapalayam, Tiruppur
District.

Petitioner(s)

Vs

1. P. Sathish
S/o. Palanisamy, 37-24, Periyar Nagar, Old
Suramangalam, Suramangalam Post, Salem.

Respondent(s)

Petition filed under Section 24 of Civil Procedure Code to withdraw HMOP No.866 of 2024 on the file of Family Court, Salem to transfer the same to the Family Court, Tiruppur.

(Prayer Amended as per order of this Court in CMP No.2583 of 2026 in Tr.C.M.P.No.935 of 2025 dated 01.07.2026.)

For Petitioner(s): S.Sengkodi

For Respondent(s): M/s.A.Saravanan

ORDER

Heard the learned counsel for the petitioner and the learned counsel for the respondent.



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2. Learned counsel for the petitioner states that the petitioner is the wife who is facing divorce proceedings in HMOP No.866 of 2024 on the file of Family Court, Salem. According to the petitioner, she resides in Tiruppur and she also has to take care of her minor child aged 4 years. The petitioner expresses inconvenience to attend the proceedings before the Family Court, Salem and therefore, has sought for transfer.

3. Per contra, learned counsel appearing for the respondent/husband states that the proceedings may be transferred to Family Court, Erode which will be convenient to both the parties. Learned counsel also states that despite filing of the proceedings in the year 2024, not even a counter affidavit has been filed.

4. Considering the facts and circumstances of the case set out herein above and admittedly, the petitioner, having custody of a minor child, aged 4 years, I am inclined to allow Tr.C.M.P.No.935 of 2025 with the following directions:-

- (a) HMOP No.866 of 2024 is withdrawn from the file of Family Court, Salem and the same is transferred to the Family Court, Tiruppur.



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(b) The Family Court, Tiruppur shall not ordinarily insist on the physical presence of the respondent/husband for all hearings except where the presence of the respondent/husband would be absolutely necessary for the purpose of recording evidence in chief and cross.

(c) It shall be open to the respondent/husband to engage the services of an advocate to represent him before the Family Court, Tiruppur.

(d) The Family Court, Tiruppur shall ensure that the pleadings are completed within a period of eight weeks from the date of the receipt of the records from the Family Court, Salem and shall thereafter dispose of HMOP No.866 of 2024 on merits and in accordance with law by 30.04.2027.

(e) The Family Court, Salem is directed to send the entire records relating to HMOP No.866 of 2024 to the file of



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sr

Family Court, Tiruppur forthwith.

No costs. Consequently, connected miscellaneous petition is closed.

01.07.2026

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sr

Index:yes/no

Website:yes/no

Speaking Order/Non-speaking Order

To

1. The Family Court, Salem
2. The Family Court, Tiruppur
3. The Sub Court, Tiruppur

Tr.C.M.P.No.935 of 2025

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