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Tr.CMP No.1041 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-01-2026

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

TR CMP No. 1041 of 2025

and

CMP No.23392 of 2025

S.Nalina Devi

...Petitioner(s)

Vs.

M.Karthik

...Respondent(s)

Prayer in Tr.CMP No.1041 of 2025:

Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, pleased to withdraw the H.M.O.P.No.53 of 2025 on the file of the Sub-Court, Vandavasi and transfer the same to the Family Court, Puducherry by appreciating the above said facts and circumstance of the case and thus render justice.

Prayer in CMP No.23392 of 2025: Petition filed under Section 151 of Code of Civil Procedure, pleased to stay all further proceedings in H.M.O.P.No.53 of 2025 pending on the file of the Sub-Court, Vandavasi pending disposal of the above Transfer Civil Miscellaneous Petition.

For Petitioner(s) : Mr.J.Aravind.

For Respondent(s) : Mr.K.Selvanayagam.



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ORDER

Heard

1. This Transfer Civil Miscellaneous Petition has been filed by the wife under Section 24 of the Code of Civil Procedure seeking to withdraw H.M.O.P.No.53 of 2025 from the file of the Sub-Court, Vandavasi and to transfer the same to the Family Court, Puducherry.
2. The learned counsel appearing for the respondent has brought to the notice of this Court that the very underlying matrimonial proceeding, i.e., H.M.O.P.No.53 of 2025 on the file of the Sub-Court, Vandavasi, has already been disposed of by an ex-parte decree of divorce dated 14.10.2025. The respondent has filed a memo to that effect and has stated that, in view of such disposal, the present Transfer Civil Miscellaneous Petition has become infructuous.
3. This Court finds that once the main proceeding sought to be transferred has itself already been disposed of, the relief of transfer does not survive for consideration. The Transfer Civil Miscellaneous Petition, therefore, becomes unnecessary for adjudication as there is no pending lis available for transfer.



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4. In such circumstances, no further effective order can be passed on merits in the Transfer Civil Miscellaneous Petition. Hence, the Transfer Civil Miscellaneous Petition is liable to be dismissed. Accordingly, Tr.CMP No.1041 of 2025 is dismissed. Consequently, CMP No.23392 of 2025 is closed . No 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 Sub-Court, Vandavasi.
2. The Family Court, Puducherry

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and CMP No.23392 of 2025

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