

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2019

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

TR.C.M.P.No.640 of 2019
and
C.M.P.No.18487 of 2019

M.Pavithra @ Dhanyasri ... Petitioner/Respondent

Vs.

D.P.Suresh Kumar ... Respondent/Petitioner

Transfer Civil Miscellaneous Petition is filed under Section 24(1) of the Code of Civil Procedure, to withdraw the petition in H.M.O.P.No.103 of 2019 on the file of the Subordinate Judge, Kancheepuram and transfer the same to the file of the Sub-Court, Poonamallee.

For Petitioner : Mr.R.Murthi

For Respondent : Mrs.K.Vasuki
For Mr.P.Vinoth Kumar

ORDER

This Transfer Civil Miscellaneous Petition has been filed seeking for transfer of H.M.O.P.No.103 of 2019 from the file of the Subordinate Judge, Kancheepuram, to the file of the Sub-Court, Poonamallee.

2. It is stated in the affidavit filed in support of this petition that the marriage between the petitioner and the respondent was solemnized on 17.02.2012 at Valli Mahal, Madhavaram High Road, Moolakadai Junction, Chennai, as per Hindu Rites and Customs. Out of the wedlock, two children were born and now they are studying in Maharishi school at Kattupakkam. Due to misunderstanding between the petitioner and the respondent, the petitioner left the matrimonial home along with her children on 04.02.2019, and on account of which, the respondent filed a divorce petition in H.M.O.P.No.103 of 2019 before the Subordinate Judge, Kancheepuram. Since the petitioner is residing at Chennai and taking care of her children and her aged parents, she could not travel to Kancheepuram to attend the

case in H.M.O.P.No.103 of 2019 and therefore, she seeks transfer of the same from the file of the Subordinate Judge, Kancheepuram, to the file of the Sub-Court, Poonamallee.

3. The learned counsel appearing for the respondent/husband would submit that now the respondent is residing in Iyyappanthangal at Chennai and therefore, he has no objection in transferring the HMOP from the file of the Subordinate Judge, Kancheepuram, to the file of the Sub-Court, Poonamallee.

4. In view of the submissions made by the learned counsel for the respondent, this Transfer Civil Miscellaneous Petition is allowed and the H.M.O.P.No.103 of 2019 pending on the file of the Subordinate Judge, Kancheepuram, is withdrawn and transferred to the file of the Sub-Court, Poonamallee. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

To

1. The Subordinate Judge,
Kancheepuram.
2. The Subordinate Judge,
Poonamallee.

+1 cc to Mr.K.Murthi Advocate sr81368

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