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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

Tr.CMP.No.487 of 2021
and
CMP.No.12988 of 2021

V.Premalatha

..Petitioner

Vs.

C.Sathish

..Respondent

Prayer: Transfer civil miscellaneous petition filed under Section 24 of C.P.C., seeking to withdraw the HMOP.No.62 of 2021 pending on the file of the Sub-ordinate Court, Thuraiyur, Trichy and transfer the same to the Sub-ordinate Court at Gudalur, The Nilgiris.

For Petitioner : Mrs.Thangavadhanabalakrishnan

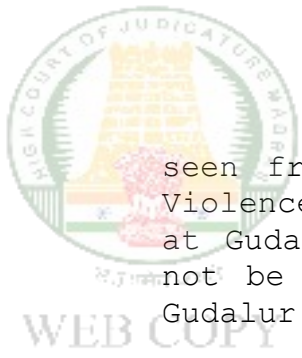
For Respondent : Mr.L.Leela Raman

O R D E R

The petitioner / wife seeks transfer of HMOP.No.62 of 2021 pending on the file of the Sub-Court, Thuraiyur to the Sub-Court, Gudalur. Transfer is sought for mainly on the ground of convenience, since the wife is a resident of Gudalur and travelling to Thuraiyur for conduct of the proceedings before the Sub-Court, Thuraiyur will be difficult for her. Though the husband resides in Thuraiyur, he is a native of Kothagiri.

2.Mr.L.Leela Raman, learned counsel for the respondent / husband would submit that the matter can be transferred to the Family Court at Ooty.

3.Considering the distance between Gudalur and Ooty and the time for travel, I am of the opinion that the hardship caused to the wife will be more, since she will have to appear before the Family Court at Ooty for every hearing. It is also



seen from the records that the proceedings under the Domestic Violence Act are pending on the file of the Judicial Magistrate at Gudalur. The husband, being a native of Kothagiri, it will not be very difficult for him to appear before the Sub-Court, Gudalur.

4. In view of the above, this transfer civil miscellaneous petition is allowed, HMOP.No.62 of 2021 pending on the file of the Sub-Court, Thuraiyur is withdrawn and transferred to the Sub-Court, Gudalur to be tried and disposed of in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar

//True Copy//

Sub-Assistant Registrar

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To:-

1. The Judge
Sub-Court,
Thuraiyur, Trichy.
2. The Judge
Sub-Court,
Gudalur, The Nilgiris

+1 CC to Mr.L.Sasireka, Advocate sr 60508.

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PA(CO)
SP(03/12/2021)