



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TR CMP No.624 of 2021
and
CMP No.15636 of 2021

S.Saveetha

...Petitioner

Vs

S.Prabhu

...Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, 1908, pleased to withdraw the HMOP No.239 of 2021 from the file of the Sub Court, Kancheepuram and transfer the same to the file of the Sub Court, Arni.

For Petitioner : Ms.Radhika Boopathi

For Respondent : Mr.A.M.Esakkiappan

O R D E R

The wife seeks transfer of proceedings in HMOP No.239 of 2021 pending on the file of the Sub Court, Kancheepuram to the Sub Court, Arani.

2. The transfer is sought for mainly on the ground of convenience of the wife who is residing at Arani Town.

3. Mr.A.M.Esakkiappan, learned counsel appearing for the respondent/ husband would submit that if the proceedings are transferred to Arani, it would be very difficult for him to attend the same at Arani.,

4. Ms.Radhika Boopathi, learned counsel appearing for the petitioner / wife would submit that the husband is seeking transfer to some other Court only to evade payment of maintenance which has been granted by the Judicial Magistrate, Arani in M.C.No.5 of 2014.

5. It is seen from the records that the wife has obtained an order of maintenance and she sought for enhancement of the same and she also sought for attachment of the salary of the



respondent in Crl.M.P.No.13 of 2021 on the file of the Judicial Magistrate, Arani. Those proceedings have been tried independently. Since the proceedings are pending before the Sub Court, the parties need not appear for every hearing. However, considering the distance between Kancheepuram and Arani, I am of the considered opinion that the proceedings could be transferred to a neutral venue in between, where the parties can engage lawyers, contest the proceedings and they can appear only for essential hearings.

6. In view of the above, the proceedings in HMOP No.239 of 2021 are withdrawn from the file of the Sub Court, Kancheepuram and transferred to the Sub Court, Cheyyar to be disposed of in accordance with law. This Transfer Civil Miscellaneous Petition is disposed of accordingly. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vum

To

1. The Sub Court, Kancheepuram.

2. The Sub Court, Cheyyar.

+1cc to M/s.Radhika Boopathi, Advocate, S.R.No.60141

+1cc to M/s.A.M.Esakkiappan, Advocate, S.R.No.59892

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CP(CO)
RGA(03/12/2021)