



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TR CMP NO.638 OF 2021

AND

CMP NOS.16033 & 16034 OF 2021

V.Nithya

...Petitioner

Vs

Mani @ A.Silembhu Chezhiyan

...Respondent

Prayer : Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, 1908, pleased to withdraw the proceedings in H.M.O.P. No.110 of 2020 now pending on the file of the Subordinate Judge, Arakkonam, and transfer the same to the file of the Subordinate Judge, Tirupattur.

For Petitioner : Ms.Elizabeth Ravi

For Respondent : No Appearance

O R D E R

The wife seeks transfer of HMOP.No.110 of 2020 on the file of the Sub Court, Arakkonam to the file of the Sub Court, Thirupathur.

2.The transfer is sought for only on the ground of convenience, since the wife is a resident of Irunapattu Village, Tirupattur Taluk, which is nearer to Sub Court, Thirupattur.

3.According to Ms.Elizabeth Ravi, all proceedings in HMOPs must be held at the place of residence of the wife, irrespective of the distance between the Court in which the proceedings are pending and the proposed transferee Court. She would also claim that because her husband has to attend the hearings of the maintenance case in M.C.No.21 of 2021 filed before the Judicial Magistrate No.2, Thirupattur, the husband is obliged to attend the hearings of the HMOP also before the Sub Court, Thirupattur only and he cannot maintain a proceeding before the Sub Court, Arakkonam. Fortunately for the wife, the husband though served is not appearing either in person or through counsel duly instructed.



4. Considering the so called convenience of the wife and the only object with which these proceedings are initiated namely, harassment, the Transfer Civil Miscellaneous Petition is allowed. HMOP.No.110 of 2020 is withdrawn from Sub Court, Arakkonam and transferred to Sub Court, Thirupattur. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

// True Copy //

Sub Assistant Registrar

vs

To

1.The Subordinate Judge,
Arakkonam.

2.The Subordinate Judge,
Tirupattur.

+1cc to M/s.Elizabeth Ravi, Advocate SR.No.64205

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KSM(CO)
RVM(27/12/2021)