



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2022

CORAM

THE HON'BLE MS.JUSTICE P.T.ASHA

TR.C.M.P.NO.148 OF 2022

AND

C.M.P.NO.2888 OF 2022

A.Kalaiselvi

... Petitioner

Vs

V.Arun Kumar

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw the H.M.O.P.No.144 of 2021 from the file of the Subordinate Judge, Arakkonam, Ranipet District and transfer the same to the file of the Subordinate Judge, Ponneri.

For Petitioner : Mr.S.Sargunam

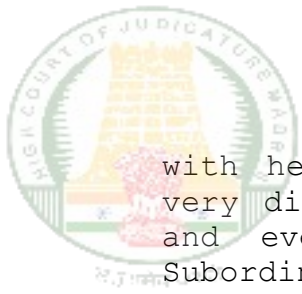
For Respondent : Served - No appearance

O R D E R

This Transfer Civil Miscellaneous Petition is filed seeking to withdraw H.M.O.P.No.144 of 2021 from the file of the Subordinate Court, Arakkonam and transfer the same to the file of the Principal Subordinate Court, Ponneri.

2. The Petitioner/wife has filed H.M.O.P.No.344 of 2021 under Section 9 of the Hindu Marriage Act before the Principal Subordinate Judge, Ponneri, for restitution of conjugal rights. The respondent-husband has also filed H.M.O.P.No.144 of 2021 under Section 13(1)(i-a) of the Hindu Marriage Act before the Subordinate Judge, Arakkonam, for divorce.

3. Transfer is sought for by the petitioner-wife on the ground that that she is residing in Arani, Thiruvallur District



with her aged parents. It is her grievance that she finds it very difficult to travel all along Arani to Arakkonam for each and every hearing. She is regularly appearing before the Subordinate Court at Arakkonam for every hearing with her mother. Her mother is aged and her health condition would not support her to travel. Further, the respondent-husband has failed to provide maintenance to her and she is depending on her aged parents for all her basic needs. She filed a petition for maintenance against the respondent in M.C.No.7 of 2021, which is pending before the District Munsif-Cum- Judicial Magistrate, Gummidipoondi.

4. Heard the learned counsel for the petitioner and perused the materials available on record. The respondent, though served, has not entered appearance.

5. Taking into consideration the facts and circumstances of the case and looking into the grievance expressed by the petitioner-wife, this Tr.C.M.P is allowed and H.M.O.P.No.144 of 2021 pending on the file of the Subordinate Court, Arakkonam shall be withdrawn and transferred to the file of the Principal Subordinate Court, Ponneri. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

srn

To

1. The Subordinate Judge, Arakkonam.
2. The Principal Subordinate Judge, Ponneri.

+1cc to M/s.S.Sargunam, Advocate, S.R.No.29115

Tr.C.M.P.No.148 of 2022
and
C.M.P.No.2888 of 2022

RGN (CO)
RLP (20/05/2022)