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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2022

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Tr.C.M.P.No.75 of 2022
and
C.M.P.No.1585 of 2022

K.Vinothni @ Vaishnavi

...Petitioner

-Vs-

P.Diwakar

...Respondent

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure, to withdraw H.M.O.P.No.1032 of 2021 on the file of Subordinate Court, Alandur and transfer it to the file of the Subordinate Court, Ponneri.

For Petitioner : Mr.P.Balamurugan

For Respondent : Mr.S.Shankar

ORDER

The wife has filed the Transfer Civil Miscellaneous Petition seeking transfer of H.M.O.P.No.1032 of 2021 filed by the husband for divorce on the file of the Subordinate Court, Alandur, to the Subordinate Court, Ponneri.

2.The learned counsel appearing for the respondent on instructions has no objection but, however, contended that since the matter is now being transferred to the Subordinate Court where the presence of party was mandatory the same would cause hardship to the respondent/husband who would have to travel to Ponneri for every hearing.

Therefore, in the interest of justice the Transfer Civil Miscellaneous Petition is ordered, withdrawing the proceedings in H.M.O.P.No.1032 of 2021 on the file of the Subordinate Court, Alandur to the file of the Subordinate Court, Ponneri, subject to the condition that the Subordinate Judge at Ponneri, shall not insist on the presence of the respondent/husband for every



hearing except for attending the counselling session and for adducing evidence. No costs. Consequently, connected Miscellaneous Petition is closed.

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Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

mps

To

1. The Subordinate Judge,
Alandur.
2. The Subordinate Judge,
Ponneri.

+1cc to M/s.S.Shankar, Advocate, S.R.No.23778

+1cc to M/s.P.Balamurugan, Advocate, S.R.No.23789

Tr.C.M.P.No.75 of 2022
and
C.M.P.No.1585 of 2022

PMK (CO)
RGA(15/06/2022)