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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2022

CORAM

THE HONOURABLE MS. JUSTICE P.T.ASHA

Tr.CMP. No.63 of 2022

and

C.M.P.No.1327 of 2022

Monesha ... Petitioner/Respondent.
Vs

S.Deepak Ramnath ... Respondent/Petitioner.

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure, to withdraw HMOP.No.1370 of 2021 on the file of the learned Subordinate Judge, Alandur and transfer the same to the file of the Family Court, Salem to be Judge, Alandur pending disposal of the above Transfer Civil Miscellaneous Petition and pass such or other orders that this Honourable Court may grant under the circumstances of the case.

For Petitioner : Mr.R.Thangavel
For Respondent : Mr.S.Ganesh

ORDER

The respondent/wife in a petition for divorce filed by the husband on the file of the Subordinate Judge, Alandur in HMOP No.1370 of 2021 is the petitioner before this Court. The petitioner seeks to withdraw the same from the file of the Subordinate Judge, Alandur and transfer the same to the file of the Family Court at Salem.

2. The petitioner's reasons for seeking transfer is on the ground that the petitioner herein has filed a petition for dissolution of marriage in H.M.O.P.No.133 of 2021 which is pending on the file of the Family Court, Salem. She would also submit that the the distance between her native place to the Subordinate Court at Alandur is more than 350 Kms and she has no source of income and she is dependent on her aged parents and it is very difficult for her to travel 350 kms for the conduct of the Trial at Alandur.



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3. The respondent/ husband who has entered appearance has no serious objection for the transfer being made except his presence may be dispensed with for all hearings except for attending the counselling sessions and for adducing evidence.

4. Considering the respondent has no objection to the transfer, the same is ordered with a direction to the Family Court, Salem not to insist on the presence of the respondent herein for all effective hearings except for attending the counselling sessions and for adducing evidence.

5. With the above directions, the Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.1370 of 2021, pending on the file of the Subordinate Court, Alandur is withdrawn and transferred to the file of the Family Court, Salem. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The Subordinate Judge,
Alandur.

2.The Family Court,
Salem.

+1cc to Mr.S.Ganesh, Advocate, S.R.No.25986

+1cc to Mr.C.Anbu, Advocate, S.R.No.25450

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