



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2022

CORAM

THE HONOURABLE MS. JUSTICE P.T.ASHA

TR.CMP. NO.232 OF 2022

AND

C.M.P.NO.4722 OF 2022

Tamilarasi

... Petitioner/Respondent.

Vs

P.Veerasami

... Respondent/Petitioner.

PRAYER:

Petition filed under Section 24 of the Code of Civil Procedure, to withdraw the HMOP NO.103 of 2021 from the file of the Sub Court, Lalgudi and transfer the same to the Principal Sub Court, Hosur, Krishnagiri District.

For Petitioner : Mr.J.Pradeep

For Respondent : No appearance

ORDER

The respondent/wife in a petition for divorce filed by the husband on the file of the Subordinate Court, Lalgudi in HMOP No.103 of 2021 is the petitioner before this Court. The petitioner seeks to withdraw the same from the file of the Subordinate Court, Lalgudi and transfer the same to the file of the Subordinate Court at Hosur.

2. Reason for seeking the transfer are as follows:

- i) She is a destitute and deserted by her husband.
- ii) She is fully dependent on her old age mother.
- iii) The distance between the Court and the petitioner's resident is more than 342 kilometers.



iv) She does not have any one to accompany or go with her, during the date of hearing from Hosur to Lalgudi.

3. The respondent/husband has refused to take delivery of the notice, though it has been intimated to him. Therefore, there is deemed service. The notice sent through Court has also been refused. In these circumstances, the Court has proceeded to hear the learned counsel for the petitioner/wife.

4. Heard the learned counsel for the petitioner/wife.

5. Considering the fact that the sufficient reasons for seeking the transfer have been stated in the affidavit filed in support of her petition and also taking into account the fact that the respondent/husband has deserted her and also not maintaining her, therefore, the Transfer Civil Miscellaneous Petition is allowed and H.MO.P.No.103 of 2021, pending on the file of the Subordinate Court, Lalgudi is withdrawn and transferred to the file of the Principal Sub Court, Hosur. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Subordinate Court, Lalgudi.

2.The Family Court, Hosur.

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RK (CO)
PM/24/05/2022