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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2022

CORAM

THE HONOURABLE MS.JUSTICE P.T. ASHA

TR.C.M.P.NO.223 OF 2020

Sunika Bhuvaneshwary

...Petitioner

Vs

E.V.Muthuraja

...Respondent

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure to withdraw H.M.O.P.No.58 of 2018 pending on the file of the Principal Subordinate Judge, Nagarkovil and Transfer the same to the file of Subordinate Judge, Tambaram to be tried along with H.M.O.P.No.942 of 2018.

For Petitioner : Mr.R.Vijayaraghaven

For Respondent : Mr.A.Raveendran

ORDER

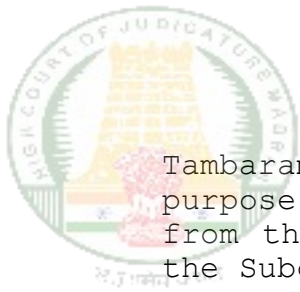
The above transfer petition has been filed by the petitioner wife to transfer H.M.O.P.No.58 of 2018 pending on the file of the Principal Subordinate Court, Nagarkovil to the Subordinate Court, Tambaram to be tried along with H.M.O.P.No.942 of 2018, which has been filed by the petitioner wife to declare the marriage between the petitioner and the respondent as null and void.

2. The petitioner has filed the above transfer petition on the following grounds:

(i) The petitioner is staying with her parents in Chennai and it takes nearly 14 to 15 hours of travel to reach Nagarkovil for attending the hearings.

(ii) She cannot travel by herself and she would have to take the assistance of somebody else to accompany her. Futher, she would have to arrange for their boarding and lodging and other purposes.

3. The respondent had entered appearance through counsel and would submit that H.M.O.P.No.942 of 2018 filed by the petitioner herein on the file of the Subordinate Court,



Tambaram, has been dismissed as withdrawn. Therefore, no purpose would be served by transferring H.M.O.P.No.58 of 2018 from the file of the Principal Subordinate Court, Nagarkovil to the Subordinate Court, Tambaram.

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4. Heard the learned counsel and perused the records.

5. The petitioner would seek transfer on the grounds mentioned above. This is irrespective of the pendency of the proceedings filed by the petitioner in H.M.O.P.No.942 of 2018. The transfer petition has been filed on account of her inconvenience to travel over to Nagarkovil to attend the hearings. Therefore, the withdrawal of H.M.O.P.No.942 of 2018 would have no bearing on this transfer petition.

6. Therefore, considering the fact that sufficient reasons have been given, the Transfer Petition is allowed and H.M.O.P.No.58 of 2018 pending on the file of the Principal Subordinate Court, Nagarkovil is withdrawn and transferred to the file of the Subordinate Court, Tambaram. No costs.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

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To

1.The Principal Subordinate Judge,
Nagarkovil.

2.The Subordinate Judge,
Tambaram.

Tr.C.M.P.No.223 of 2020

MT (CO)
RVM(25/03/2022)