



WEB COPY



Tr.CMP No.904 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19-12-2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Tr.C.M.P.No.904 of 2022

and

C.M.P.No.15530 of 2022

Ranjith

.. Petitioner

vs.

Uma Sahina

.. Respondent

PRAYER : This Transfer CMP is filed under Section 24 of the Civil Procedure Code, to withdraw the case in HMOP No.69 of 2022 from the file of the Sub Court at Tiruchendur and transfer the same to the file of the Sub Court at Alandur.

For Petitioner : Mr.B.Thirunavukkarasu

For Respondent : Mr.R.Aranganathan

1/7



Tr.CMP No.904 of 2022

WEB COPY

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the HMOP No.69 of 2022 from the file of the Sub Court at Tiruchendur and transfer the same to the file of the Sub Court at Alandur.

2. The marriage between the petitioner and the respondent was solemnised on 13.06.2021 as per the Hindu Rites and Customs. Due to misunderstanding between the petitioner-husband and the respondent-wife, they are living separately.

3. The respondent-wife filed HMOP No.69 of 2022 for dissolution of marriage now pending on the file of the Sub Court at Tiruchendur.

4. The learned counsel for the petitioner states that the petitioner-



husband filed the present Transfer Civil Miscellaneous Petition mainly on the ground that the respondent-wife was residing at Chennai at Palavakkam along with her parents initially. However, the respondent-wife filed counter by stating that now she is residing in Tiruchendur along with her parents.

5. The learned counsel for the respondent-wife states that the relatives of the respondent-wife are residing at Chennai. But she is now staying at Kothalarivelai, Eral Taluk, Thoothukudi District,. Thus, she is not in a position to travel all along from Thoothukudi to Alandur at Chennai for the purpose of contesting the case in the event of any such transfer.

5. The learned counsel for the respondent states that the respondent-wife is unemployed and residing along with her parents at Thoothukudi District. The respondent-wife is depending on her parents at Thoothukudi District.

6. That being the case, the transfer would cause prejudice to the



Tr.CMP No.904 of 2022

interest of the respondent-wife.

WEB COPY

7. In view of the facts and circumstances, this Court is not inclined to entertain the present Transfer Civil Miscellaneous Petition.

8. Accordingly, the present Transfer Civil Miscellaneous Petition stands dismissed. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is also dismissed.

19-12-2022

Speaking Order/Non-Speaking Order.
Internet : Yes/No.
Index: Yes/No.
Svn



Tr.CMP No.904 of 2022

WEB COPY

To
1.The Sub Judge,
Sub Court,
Tiruchendur.

2.The Sub Judge,
Sub Court,
Alandur.



WEB COPY



Tr.CMP No.904 of 2022

S.M.SUBRAMANIAM, J.

Svn

Tr.CMP No.904 of 2022



WEB COPY



Tr.CMP No.904 of 2022

19-12-2022