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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2022

CORAM

THE HON'BLE MS.JUSTICE P.T.ASHA

TR.C.M.P.NO.805 OF 2021

AND

C.M.P.NO.18774 OF 2021

K.Surya

... Petitioner

Vs

J.Dinesh

... Respondent

PRAYER :

Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw H.M.O.P.No.72 of 2021 on the file of the Principal Sub Court, Virudhachalam and transfer the same to Sub Court, Tambaram.

For Petitioner	: Mr.K.Shanmugakani
For Respondent	: Mr.T.Meganathan

O R D E R

The petitioner/wife has filed the above Transfer Civil Miscellaneous Petition seeking to withdraw H.M.O.P.No.72 of 2021 filed by the husband pending on the file of the Principal Sub Court, Virudhachalam and transfer the same to the file of the Sub Court, Tambaram.

2. The respondent-husband has filed the above H.M.O.P.No.72 of 2021 under Section 13(i) (a) of the Hindu Marriage Act on the file of the Principal Sub Court, Virudhachalam, for dissolution of marriage held between the petitioner and the respondent on 01.09.2019.

3. In the affidavit filed in support of the petition, the petitioner-wife has stated that she is living in Perungalathur, Chennai. She finds it very difficult to travel such a long



distance from Chennai to Virudhachalam to attend each of the hearing by spending huge money and she has also expressed that the respondent and his men are threatening her. Hence, she sought for transfer.

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4. Heard the learned counsel for the petitioner and the learned counsel for the respondent and perused the materials available on record.

5. Learned counsel for the respondent-husband had appeared before this Court on two occasions and sought time for filing counter. To date, he has not taken any steps to file counter. Therefore, this Court proceeded with the submission made by the learned counsel for the petitioner.

6. Taking into consideration the facts and circumstances of the case and looking into the grievance expressed by the petitioner, this Tr.C.M.P is allowed and H.M.O.P.No.72 of 2021 pending on the file of the Principal Sub Court, Virudhachalam, is withdrawn and transferred to the file of Sub Court, Tambaram. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

srn

To

1. The Principal Sub Court, Virudhachalam

2. The Sub Court, Tambaram.

Tr.C.M.P.No.805 of 2021
and
C.M.P.No.18774 of 2021

PMK (CO)
PM/23/03/2022