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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2022

CORAM

THE HONOURABLE MS. JUSTICE P.T. ASHA

TR.C.M.P.NO.975 OF 2021

&

C.M.P.NO.21623 OF 2021

R.Rajapriya

.. Petitioner/
Respondent

Vs

M.Tamilarasan

... Respondent/
Petitioner

Prayer:

Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure to withdraw H.M.O.P.No.51 of 2021 pending on the file of the Sub Court, Mettur, Salem District and transfer the same to the file of the Principal Sub-Court, Tirupattur.

For Petitioner : Ms.Mumtaj Surya

For Respondent : No Appearance

ORDER

The wife who is the respondent in H.M.O.P.No.51 of 2021, pending on the file of the Sub Court, Mettur, is the petitioner before this Court. The petitioner wife has filed the above petition for transferring the said proceedings now pending on the file of the Sub Court, Mettur to the file of the Principal Sub Court, Tirupattur. The petitioner has approached this Court seeking the transfer on the following grounds:

(a)The petitioner states that Mettur is 150 Kilometers away from her village and it is difficult for her to travel to Mettur for every hearing.



(b) The petitioner is pursuing her higher studies and regular college has been resumed from the Month of August. Therefore, she could not take leave every time to attend the hearing.

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(c) The petitioner is depending on her parents income and her father has been working as a Scavenger and they cannot afford for travel, food and other expenses during the hearing.

2. Even today, the respondent is not present. Therefore, the Court proceeded to hear the petitioner in the absence of the respondent.

3. Having heard the learned counsel for the petitioner and perused the records, the reasons set out supra gives sufficient grounds for transferring the petition for restitution of conjugal rights filed by the respondent husband on the file of the Sub Court, Mettur to the file of the Principal Sub-Court, Tirupattur.

4. For the above reasons, the Transfer Civil Miscellaneous Petition stands allowed. Consequently, connected Civil Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1. The Subordinate Judge,
The Sub Court, Mettur, Salem District.
2. The Principal Subordinate Judge,
The Principal Sub-Court, Tirupattur.

Tr.C.M.P.No.975 of 2021

SJ(CO)
PM/21/03/2022