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Tr.C.M.P.No.32 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2023

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Tr.C.M.P.No.32 of 2023
and C.M.P.No. 1050 of 2023

Loheswari @ Priya

... Petitioner

Vs.

N.Srinivasan

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., praying to withdraw the H.M.O.P.No.373 of 2022 from the file of Hon'ble Family court, Erode and transfer it to the file of Family Court, Trichy.

For Petitioner : Mr.S.Velmurugan

For Respondent : Mr.M.Guruprasad

ORDER

The petitioner/wife seeks transfer of H.M.O.P.No.373 of 2022 on the file of Hon'ble Family court, Erode and transfer it to the file of Family Court, Trichy.



Tr.C.M.P.No.32 of 2023

2. The learned counsel for petitioner would submit that the petitioner wife seeks transfer of the proceedings on the ground that she is not able to travel from her place of residence to attend every hearings before the Family Court, Erode. Hence, he prayed to transfer the petition.

3. Records perused. The reasons assigned by the petitioner wife is justifiable one and the fact that she is not able to travel from Trichy to attend every hearings before the Family Court, Erode. Accordingly, this Transfer Civil Miscellaneous Petition is allowed and the petition in H.M.O.P.No.373 of 2022 is withdrawn from the file of Family Court, Erode and transferred to the file of Sub-Court, Kulithalai, and the learned trial judge is directed to transfer the case to the Sub-Court, Kulithalai, within a period of two weeks from the date of receipt of copy of this order. The learned Sub-Court, Kulithalai, is also directed to take case on file within a period of one week from the date of receipt of papers and issue notice to the respondent as per manner known to law and thereafter, to dispose the case as early as possible. The petition filed by the petitioner in D.V.C.No.69 of 2022 under the Domestic Violence Act on the file of Additional Mahila Court, Trichy can also be tagged along with H.M.O.P.No.373 of 2022 on the file of Sub-Court, Kulithalai.



Tr.C.M.P.No.32 of 2023

Hence, the learned Additional Mahila Court, Trichy is directed to transfer the case in D.V.C.No.69 of 2022 to the file Sub-Court, Kulithalai and the Sub-court, Kulithalai should take the same on file and dispose of both the cases i.e., H.M.O.P.No.373 of 2022 and D.V.C.No.69 of 2022 within a period of six(6) months from the date of receipt of a copy of this order. No costs. Consequently, connected civil miscellaneous petition is closed.

15.12.2023

Index : Yes / No
Internet : Yes / No
Speaking/Non-speaking order
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To

1. The Additional Mahila Court, Trichy.
2. The Family Court, Erode.
3. The Sub-Court, Kulithalai.

T.V.THAMILSELVI, J.



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