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Tr.CMP.No.234 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.03.2023

CORAM:

THE HONOURABLE MRS.JUSTICE **T.V.THAMILSELVI**

Tr.CMP.No.234 of 2023
and CMP.No.5180 of 2023

Rajalakshmi

... Petitioner

Vs.

Nagaraj

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of CPC to withdraw and transfer of HMOP.No.156 of 2022 which is pending on the file of the Subordinate Court at Mettupalayam, Coimbatore District to be tried before the Principal Family Court, Chennai District.

For Petitioner : Mr.Saravanan P.

For Respondent : Mr.E.Karthick Raja

ORDER

This petition has been filed to transfer the HMOP.No.156 of 2022 pending before the Subordinate Court at Mettupalayam, Coimbatore District for the reason that the respondent who is a retired police officer, has been a



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very influenced person and he is causing annoyance and hindrance to her.

There is also a life threat. Hence, she is not inclined to appear before the Mettupalayam Sub Court. Now she is temporarily residing at Chennai and she wants to transfer the matter to Chennai.

2. The learned counsel for the respondent also appeared before this Court and submits that they have no issues and due to unnecessary quarrel made by the wife, the case was filed.

3. On perusal of records, both are aged about 55 years. As per the contention of the wife, she is being harassed and she is living without any source of income. As she is aged about 55 years, she is unable to attend the court hearing without any source of income. However, on seeing the fact, it reveals that he is a retired police officer and drawing a reasonable pension. Therefore, the respondent is directed to pay Rs.8,000/- (Rupees Eight Thousand only) per month as interim maintenance to the petitioner at the first week of every English calendar month until it is modified by any court of law. The said amount of Rs.8,000/- is directed to be paid directly to the bank account of the petitioner herein.



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4. Since both are residing at Mettupalayam and due to the reason assigned by the petitioner as she is having life threat there, HMOP.No.156 of 2022 pending on the file of the Subordinate Court at Mettupalayam, Coimbatore District is withdrawn and transferred to the file of the Family Court, Coimbatore. The Subordinate Court at Mettupalayam, Coimbatore District is directed to send the entire records in HMOP.No.156 of 2022 to the Family Court, Coimbatore within a period of two weeks from the date of receipt of this order.

5. With the above directions, this Tr.CMP is disposed of. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

29.03.2023

Index : Yes/No

Internet : Yes/No

Speaking order/non-speaking order
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T.V.THAMILSELVI, J.

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To

1. Subordinate Court at Mettupalayam,
Coimbatore District
2. Family Court,
Coimbatore

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29.03.2023