



Tr.C.M.P.No.373 of 2023
and C.M.P.No.7996 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2023

CORAM:

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

Tr.C.M.P.No. 373 of 2023

and

C.M.P.No. 7996 of 2023

K. Chithra (a) Sumithra

... Petitioner

Vs.

T. Sankar

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C., praying to withdraw HMOP.No.14 of 2023 pending on the file of learned Subordinate Court, Chidambaram and to transfer the same to the file of the Subordinate Court, Poonamallee.

For Petitioner : Mr. R. Sreedhar



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ORDER

The petitioner / wife seeks transfer of H.M.O.P.No.14 of 2023 pending on the file of Subordinate Court, Chidambaram to the Subordinate Court, Poonamallee. The petitioner / wife seeks transfer of the proceedings before the Subordinate Court, Poonamallee on the ground that she is living at Chennai with one male child and she is not able to attend the Court hearings by travelling.

2. The learned counsel for the petitioner submitted that the marriage between the respondent and the petitioner was solemnized on 02.07.2006 at Subham Thirumana Mandabam, Chidambaram, Jeyamkondan, as per the Hindu rites and customs. Out of the wedlock, one male child born to them. He further submitted that the petitioner has filed H.M.O.P.No.66 of 2023 before the Subordinate Court, Poonamallee. Further submitted that the petitioner's son is also studying at Chennai. Hence, she prays to transfer the H.M.O.P.No.14 of 2023, to the Subordinate Court, Poonamallee.



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3. Though notice sent to respondent, the same was returned as unclaimed.

4. Considering the facts and circumstances and the reason assigned by the petitioner is justifiable, this Court is inclined to transfer the H.M.O.P.No.14 of 2023 to the Subordinate Court, Poonamallee.

4. In view of the above, H.M.O.P.No.14 of 2023 is withdrawn from the file of the Subordinate Court, Chidambaram and transferred to the file of Subordinate Court, Poonamallee to be disposed of in accordance with law and the Subordinate Court, Chidambaram is directed to send entire records to the Subordinate Court, Poonamalle, within a period of two weeks from the date of receipt of a copy of this order.

5. Accordingly, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.



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6. However, the Subordinate Court, Poonamallee is directed to issue notice to the respondent and then proceed with the matter as early as possible, preferably within a period of six months from the date of this order.

07.11.2023

Index : Yes / No

Neutral Citation: Yes / No

AT

To

1. The Subordinate Court, Chidambaram.

2. The Subordinate Court, Poonamallee.



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T.V.THAMILSELVI, J.

AT

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