



Tr.CMP.No 436 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.08.2023

CORAM:

THE HONOURABLE **Mrs. JUSTICE V.BHAVANI SUBBAROYAN**

Tr.C.M.P. No.436 of 2023

and

C.M.P. No.9715 of 2023

P.Shalini Devi

.. Petitioner

Vs

C.Munirathinaprabhu

.. Respondent

PRAYAER:- Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, to withdraw the H.M.O.P. No.48 of 2023 on the file of the Sub-Court, Thirupattur and to transfer the same to the Sub-Court, Alandur.

For Petitioner : Mr.S.R.Hemkumar

For Respondent : Mr.V.Elangovan

ORDER

This petition is filed to withdraw H.M.O.P. No. 48 of 2023 from the Sub-Court, Thirupattur and to transfer the same to the Sub-Court, Alandur. The petitioner is the wife.



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2. The marriage between the petitioner and wife was solemnized on 24.08.1998. The respondent husband filed a petition for divorce in H.M.O.P. No. 48 of 2023 on the file of Sub-Court, Thirupattur, under Section 13(1) (i-a) and (i-b) of Hindu Marriage Act.

3. It is stated by the learned counsel for the petitioner that the petitioner is currently running a play school and residing at Madipakkam, with her two sons. Learned counsel for the petitioner further submits that the petitioner is unable to attend the hearing of the case, since the distance between Thirupattur and Madipakkam is more than 200 Kms, the petitioner seeks withdrawal and transfer of the case from Sub-Court, Thirupattur to Sub-Court, Alandur, mainly on the ground of convenience.

4. In a petition filed by the husband for divorce, the convenience of wife is relevant. Having regard to the facts narrated in the affidavit filed in support of this petition, this Court is fully convinced that the petitioner should not be put to much inconvenience by travelling such a long distance. Hence this Court is inclined to allow this petition. Accordingly, H.M.O.P. No.48 of 2023 pending on the file of the Sub Judge, Thirupattur, is hereby withdrawn and transferred to Sub-Court, Alandur.



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5. This transfer civil miscellaneous petition is thus allowed. No costs.

Consequently, connected miscellaneous petition is closed.

07.08.2023

Index: Yes/No

Speaking order / Non speaking order

Neutral Citations: Yes/ No

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To

1.The Sub Court, Thirupattur.

2.The Sub-Court, Alandur.



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V.BHAVANI SUBBAROYAN,J.

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