



Tr.C.M.P.No.543 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. 543 of 2023
and C.M.P.No. 12874 of 2023

Suganya

... Petitioner

Vs.

Elumalaivasan

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., praying to withdraw the case in H.M.O.P.No.182 of 2022 which is pending on the file of the Subordinate Court, Athur, Salem District and transfer the same to the Subordinate Court, Rasipuram, Namakkal District.

For Petitioner : Mr.J.Titus Enock

For Respondent : Mr.L.Rajendran



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ORDER

The petitioner/wife seeks transfer of H.M.O.P.No.182 of 2022 pending on the file of Subordinate Court, Athur, Salem District to Subordinate Court, Rasipuram, Namakkal District to be tried along with DVC.No.1 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 Sub-Court, Athur, Salem. 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 Rasipuram, Namakkal District to attend every hearings before the Sub-Court, Athur, Salem. Accordingly, this Transfer Civil Miscellaneous Petition is allowed and the petition in H.M.O.P.No.182 of 2022 is withdrawn from the file of the Sub-Court, Athur and transferred to the file of Subordinate



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Court, Rasipuram, Namakkal District, to be tried along with DVC.No.1

of 2023 and the learned trial judge is directed to transfer the case to the Subordinate Court, Rasipuram, Namakkal District, within a period of two weeks from the date of receipt of copy of this order. The learned Subordinate Court, Rasipuram, Namakkal District 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. 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 Subordinate Court, Athur.
2. The Subordinate Court, Rasipuram,
Namakkal District.



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T.V.THAMILSELVI, J.

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