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Tr.C.M.P.No.593 of 2023
and CMP.No.14822 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2023

CORAM:

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

Tr.C.M.P.No.593 of 2023
and
CMP.No.14822 of 2023

M.Radhika

... Petitioner

Vs.

B.Sudharsan

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 151 of C.P.C., praying to withdraw the H.M.O.P.No. 14 of 2023 pending on the file of the Subordinate Court, Katpadi and transfer the same to the file of the Principal Subordinate Court, Kanchipuram.

For Petitioner : Mr. K. Kathiravan

For Respondent : Mr.A. Salomi



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ORDER

The petitioner/wife seeks transfer of H.M.O.P.No.14 of 2023 pending on the file of the Subordinate Court, Katpadi to the Principal Subordinate Court, Kanchipuram. The petitioner /wife seeks transfer of the proceedings before the Principal Subordinate Court, Kanchipuram on the ground that she is living at Kanchipuram with her girl child in her parental home and she is not able to attend the court hearings by travelling 150 kms from Kanchipuram to Katpadi.

2. The learned counsel for the petitioner submitted that, the marriage between the respondent and the petitioner was solemnized on 13.03.2019 at Vijayalakshmi Panjanatha Mudaliyar Thirumana Mahal (VP Mahal) at Ponniyamman Nagar, vanjur, Katpadi Taluk, Vellore District as per Hindu rites and customs. Due to misunderstanding the respondent had filed a divorce petition in HMOP.No.14 of 2023 before the learned Subordinate Court, Katpadi to dissolve the marriage. Now the petitioner is residing at



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Kanchipuram with her girl child in her parental home. Hence, she prays to transfer the case in HMOP.No.14 of 2023 to the Principal Subordinate Court, Kanchipuram.

3. Considering the facts and circumstances and the reason assigned by the petitioner is justifiable, this Court is inclined to transfer the HMOP.No.14 of 2023 to the Principal Subordinate Court, Kanchipuram.

4. In view of the above, H.M.O.P.No. 14 of 2023 is withdrawn from the file of the Subordinate Court, Katpadi and transferred to the file of Principal Subordinate Court, Kanchipuram. The learned Principal Subordinate Judge, Katpadi is directed to send entire records to the learned Principal Subordinate Judge, Kanchipuram, 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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T.V.THAMILSELVI, J.

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6. However, the learned Principal Subordinate Judge, Kanchipuram.
is directed to issue notice to the respondent and dispose of the case as early
as possible, from the date of receipt of a copy of this order.

02.11.2023

Index : Yes / No
Neutral Citation: Yes / No
Speaking/Non-speaking order

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To

1. The Subordinate Court, Katpadi.
2. The Principal Subordinate Court, Kanchipuram.

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and
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