



Tr.C.M.P.No.695 of 2023
and C.M.P.No.16917 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. 695 of 2023
and
C.M.P.No. 16917 of 2023

M. Suganya

... Petitioner

Vs.

T. Kalithasan

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C., praying to withdraw HMOP.No.149 of 2023 pending on the file of Sub Court, Alandur and transfer the same to the file of Sub Court, Tenkasi.

For Petitioner : Mr. M. Jaisingh

For Respondent : No Appearance



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ORDER

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The petitioner / wife seeks transfer of H.M.O.P.No.149 of 2023 pending on the file of Sub Court, Alandur to the Sub Court, Tenkasi District. The petitioner / wife seeks transfer of the proceedings before the Sub Court, Tenkasi on the ground that she is living at Tirunelveli with one male child and she is not able to attend the Court hearings by travelling 600 kms.

2. The learned counsel for the petitioner submitted that the marriage between the respondent and the petitioner was solemnized on 30.10.2020 at Murugan Thirukoil, Mettupranjacherri, Mannur Taluk, Tirunelveli District, as per the Hindu rites and customs. Out of the wedlock, one male child born to them. Further submitted that now the petitioner is living with her parents home and it is difficult to travel nearly 600 kms to attend the Court proceedings at Alandur. Hence, she prays to transfer the HMOP.No.149 of 2023, to the Sub Court, Tenkasi District.



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3. 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.149 of 2023 to the Sub Court, Tenkasi District.

4. In view of the above, H.M.O.P.No.149 of 2023 is withdrawn from the file of the Sub Court, Alandur and transferred to the file of Sub Court, Tenkasi District to be disposed of in accordance with law and the Sub Court, Alandur is directed to send entire records to the Sub Court, Tenkasi, 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.

6. However, the Sub Court, Tenkasi 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.

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Index : Yes / No



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Neutral Citation: Yes / No

AT

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T.V.THAMILSELVI, J.

AT

To

1. The Sub Court, Alandur.

2. The Sub Court, Tenkasi District.

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