



Tr.CMP No.589 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2023

CORAM :

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

TR.CMP No.589 of 2023

and

C.M.P.No.14805 of 2023

S.Sri Sowmiya

.... Petitioner

-Vs-

K.Ganesh

.... Respondent

PRAYER : Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw HMOP No.179 of 2022 on the file of the Principal Subordinate Court, Kumbakonam and transfer the same to the file of the Subordinate Court, Tirupathur.

For Petitioner : Mr.K.Sudhakar

For Respondent : Mr.P.J.Rishikesh

ORDER

The petitioner/wife seeks transfer of HMOP No.179 of 2022 pending on the file of Subordinate Court, Kumbakonam to the file of the Subordinate Court, Tirupathur. The petitioner /wife seeks transfer of the proceedings before the Subordinate Court, Tirupathur on the ground that she is living at Tirupathur in her parental home with her child and she is not able to attend



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the Court hearings by travelling 500 kms, from Tirupathur to Kumbakonam.

2. The learned counsel for the petitioner submitted that, the marriage between the respondent and the petitioner was solemnized on 24.02.2018 at Paslikuttai Murugan Temple, tirupathur as per Hindu rites and customs. Due to matrimonial dispute the respondent had filed HMOP No.179 of 2022, pending on the file of the Principal Subordinate Court, Kumbakonam. Now the petitioner is residing at Tirupathur in her parental home with her child, without any source of income. Hence, she prays to transfer the HMOP No.179 of 2022 to the Subordinate Court, Tirupathur.

3. Considering the facts and circumstances and the reason assigned by the petitioner is justifiable, this Court is inclined to transfer the HMOP No.179 of 2022 to the Subordinate Court, Tirupathur.

4. In view of the above, HMOP.No.179 of 2022 is withdrawn from the file of the Principal Subordinate Court, Kumbakonam and transferred the same to the file of the Subordinate Court, Tirupathur. The learned



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Principal Subordinate Judge, Kumbakonam is directed to send entire records to the learned Subordinate Judge, Tirupathur, within a period of two weeks from the date of receipt of a copy of this order.

5. Both the parties are directed to appear before the Mediation and Conciliation Centre, Tirupathur, along with their respective counsels. The Mediation and Conciliation Centre, Tirupathur is directed to settle the matter not less than five sittings and report the same before the learned Subordinate Judge, Tirupathur, if any. However, the learned Subordinate Judge, Tirupathur is directed to issue notice to the respondent and dispose of the case as early as possible in the manner known to law.

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

23.11.2023

Index : Yes/No
Internet : Yes/No
Neutral Citation: Yes / No
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T.V.THAMILSELVI, J.



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To

- 1.The Principal Subordinate Judge, Kumbakonam.
- 2.The Subordinate Judge, Tirupathur.

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