

**IN THE HIGH COURT OF JUDICATURE AT MADRAS****DATED : 15.12.2023****CORAM****THE HON'BLE MRS.JUSTICE T.V.THAMIL SELVI****TR CMP.No.824 of 2023****and****CMP.No.20012 of 2023**

Ms.K.Ahalya

... Petitioner

Vs.

V.Karthic

... Respondent

Prayer : Transfer Civil Miscellaneous Petition filed under Section 24 of CPC to withdraw H.M.O.P.No.1069 of 2022 pending on the file of the Subordinate Court at Poonamallee and transfer the same before the Subordinate Judge, Karaikudi.

For Petitioner : Mr.V.V.Giridhar

For Respondent : Mr.A.Ilayaperumal

ORDER

The petitioner/wife seeks transfer of H.M.O.P.No.1069 of 2022 pending on the file of the Subordinate Court, Poonamallee to the Subordinate Court, Karaikudi. The petitioner /wife seeks transfer of the proceedings before the



Subordinate Court, Karaikudi on the ground that she is living at Karaikudi in her parental home without any source of income and she is not able to attend the court hearings by travelling from Karaikudi to Poonamallee.

2. The learned counsel for the petitioner submitted that, the marriage between the respondent and the petitioner was solemnized on 11.11.2021 as per Hindu rites and customs. Due to matrimonial dispute the respondent has filed H.M.O.P.No.1069 of 2022 on the file of the Subordinate Court, Poonamallee, under Section 13(1)(ia) and i(b) of the Hindu Marriage Act, 1955, to dissolve the marriage. Now the petitioner is residing at Karaikudi in her parental home without any source of income. Hence, she prays to transfer the H.M.O.P.No.1069 of 2022 to the Subordinate Court, Karaikudi.

3. Considering the facts and circumstances and the reason assigned by the petitioner is justifiable, this Court is inclined to transfer the HMOP.No.1069 of 2022 to the Subordinate Court, Karaikudi.

4. In view of the above, H.M.O.P.No. 1069 of 2022 is withdrawn from the file of the Subordinate Court, Poonamallee and transferred to the file of



the Subordinate Court, Karaikudi. The learned Subordinate Judge, Poonamalle is directed to send entire records to the learned Subordinate Judge, Karaikudi, 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 learned Subordinate Judge, Karaikudi is directed to issue notice to the respondent and dispose of the case as early as possible.

15.12.2023

Index : Yes/No
Speaking order / Non speaking order
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To

1. The Sub Judge, Poonamallee.
2. The Sub Court, Karaikudi.
3. The Section Officer,
VR-Section, High Court of Madras.



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T.V.THAMIL SELVI, J.

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and
CMP.No.20012 of 2023**

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