



Tr.C.M.P.No.838 of 2023 and
C.M.P.No.20233 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.11.2023

CORAM:

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

Tr.C.M.P.No. 838 of 2023

and

C.M.P.No. 20233 of 2023

T. Gayathiri

... Petitioner

Vs.

K. Santhosh Kumar

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C., praying to withdraw and transfer the H.M.O.P.No.14 of 2023 on the file of the Subordinate Court, Arakkonam to the Sub Court, Polur at Thiruvananthamalai District.

For Petitioner : Mr. K. Gopi

For Respondent : No Appearance



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ORDER

The petitioner / wife seeks transfer of H.M.O.P.No. 14 of 2023 pending on the file of Subordinate Court, Arakkonam to the Sub Court, Polur at Thiruvannamalai. The petitioner / wife seeks transfer of the proceedings before the Sub Court, Polur at Thiruvannamai on the ground that she is living at Thiruvannamalai District with one female child and she is not able to attend the Court hearings by travelling 150 kms.

2. The learned counsel for the petitioner submits that the marriage between the respondent and the petitioner was solemnized on 07.06.2015 at Thiruvannamalai District, as per Hindu Rites and Customs. Out of the wedlock, one female child born to them. Further submitted that it is difficult to travel nearly 150 kms to attend the Court proceedings at Arakkonam. Hence, she prays to transfer the H.M.O.P.No. 14 of 2023, to the Sub Court, Polur at Thiruvannamali.



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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. 14 of 2023 to the Sub Court, Polur at Thiruvannamalai District.

4. In view of the above, H.M.O.P.No.14 of 2023 is withdrawn from the file of the Subordinate Court, Arakkonam and transferred to the file of the Sub Court, Polur at Thiruvannamali to be disposed of in accordance with law and the Subordinate Court, Arakkonam, is directed to send entire records to the Sub Court, Polur at Thiruvannamali, 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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6. However, the Sub Court, Polur at Thiruvannamali 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.

27.11.2023

Index : Yes / No

Neutral Citation: Yes / No

AT



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T.V.THAMILSELVI, J.

AT

To

1. The Subordinate Court, Arakkonam.
2. The Sub Court, Polur at Thiruvanamalai District.

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