



WEB COPY



Tr.CMP. No.862 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2023

CORAM :

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

TR.CMP No.862 of 2023
and C.M.P.No.20535 of 2023

S.Sharmila

.... Petitioner

-Vs-

A.Sathish

.... Respondent

Prayer : Transfer Civil Miscellaneous Petition under Section 24 of C.P.C., to withdraw H.M.O.P.No.245 of 2023 pending on the file of learned Sub Ordinate Judge, Poonamallee and transfer the same to the learned Sub Court, Ranipet.

For Petitioner : Mr.B.Gopalakrishnan

For Respondent : Mr.K.Parameshwaran

ORDER

This petition has been filed by the petitioner seeking to withdraw H.M.O.P.No.245 of 2023 pending on the file of learned Sub Ordinate Judge, Poonamallee and transfer the same to the learned Sub Court, Ranipet.



2. The learned counsel for the petitioner submitted that the marriage between the petitioner and the respondent was took place on 04.06.2021. He further submitted that the petitioner has been tortured at the hands of the respondent and his family members and also the respondent is a drugs addicted. Thereafter, the respondent filed divorce in HMOP.No.245 of 2023 on the file of the Sub Ordinate Judge, Poonamallee, on the ground of cruelty making false allegations against this petitioner. Further, the petitioner filed maintenance petition in M.C.No.7 of 2023 on the file of the learned Judicial Magistrate No.II, Ranipet. Both cases are pending. He further submitted that the petitioner is residing at Ranipet and it is very difficult for the petitioner to attend the court hearings at Poonamallee. Hence, he prays to transfer the HMOP to the Sub Court, Ranipet.

3.The learned counsel appearing for the respondent has raised formal objection in allowing this petition.

4. Considering the facts and circumstances of the case and also the fact that the petitioner is residing at Ranipet along with her mother without source of



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income. Therefore, the reasons stated by the petitioner and the same is justifiable.

Accordingly, the present Tr.C.M.P. is allowed and the H.M.O.P.No.245 of 2023 pending on the file of the learned Sub Ordinate Judge, Poonamallee, is withdrawn and transferred to the file of the Sub Court, Ranipet, to try along with M.C.No.7 of 2023. Consequently, connected miscellaneous petition is closed. No costs.

17.11.2023

Index : Yes/No
Internet : Yes/No
msrm

To
1.The Sub Court, Poonamallee.
2.The Sub Court, Ranipet.



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T.V.THAMILSELVI, J.

msrm

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