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Tr.CMP. No.968 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2023

CORAM :

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

TR.CMP No.968 of 2023
and C.M.P.No.23377 of 2023

P.Rathidevi

.... Petitioner

-Vs-

M.Parthiban

.... Respondent

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C., to withdraw HMOP.No.105 of 2022 pending on the file of Hon'ble Subordinate Court, Cheyyar and to transfer the same to the file of Hon'ble Sub Court, Alandur.

For Petitioner : Mr.K.Manikandan

ORDER

This petition has been filed by the petitioner seeking to withdraw HMOP.No.105 of 2022 pending on the file of Hon'ble Subordinate Court, Cheyyar and to transfer the same to the file of Hon'ble Sub Court, Alandur.



2. The learned counsel for the petitioner submitted that the marriage between the petitioner and the respondent took place on 16.09.2011 and they begotten two female child. He further submitted that the petitioner has been tortured at the hands of the respondent and his family members. Thereafter, the petitioner was driven out from the matrimonial home and the respondent filed a petition for divorce in HMOP.No.105 of 2022 on the file of the Subordinate Court, Cheyyar. on making false allegations against this petitioner. He further submitted that the petitioner is living with her parents along with two child without any source of income and it is very difficult for the petitioner to attend the court hearings at Cheyyar along with two child. Hence, he prays to allow this petition.

3. Considering the facts and circumstances of the case and also the fact that the petitioner is living with her parents house along with her two child. Therefore, the reasons stated by the petitioner and the same is justifiable and there is no maintenance amount paid by the respondent till date. Hence, this Court directs the respondent to pay a sum of Rs.8,000/- as interim maintenance to the account of the petitioner on the first week of every Month of English Calender from October 2023 onwards until modified by the Court of law.



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4. Accordingly, the present Tr.C.M.P. is allowed and the HMOP.No.105 of 2022 pending on the file of the Subordinate Court, Cheyyar, is withdrawn and transferred to the file of the Sub Court, Alandur. Consequently, connected miscellaneous petition is closed. No costs.

5. The Sub Court, Alandur, is directed to issue notice to the respondent/husband and proceed with the cases as per the manner known to law.

12.10.2023

Speaking / Non Speaking order

Neutral Citation : Yes/No

Index :Yes/No

msrm

To

1.The Subordinate Court, Cheyyar.

2.The Sub Court, Alandur.



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T.V.THAMILSELVI, J.

msrm

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