



WEB COPY

Tr. CMP. No.967 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.967 of 2023
and C.M.P.No.23351 of 2023

H.Lalithambigai

.... Petitioner

-Vs-

K.S.S. Sivasubramanian

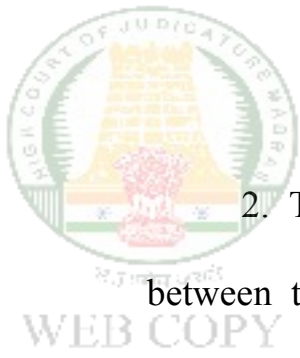
.... Respondent

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C., to withdraw and transfer HMOP.No.161 of 2023 from the file of the Sub Court, Tiruchengode, to the file of the Family Court, Salem, to be tried along with HMOP.No.556 of 2023.

For Petitioner : Mr.K.Selvaraj

ORDER

This petition has been filed by the petitioner seeking to withdraw and transfer HMOP.No.161 of 2023 from the file of the Sub Court, Tiruchengode, to the file of the Family Court, Salem, to be tried along with HMOP.No.556 of 2023.



2. The learned counsel for the petitioner submitted that the marriage between the petitioner and the respondent on 30.08.2009 and they begotten female child. He further submitted that the petitioner has been tortured at the hands of the respondent and his family members. Now, the respondent is residing at Singapore, he filed a petition for divorce in HMOP.No.161 of 2023 on the file of the Sub Court, Tiruchengode. on making false allegations against this petitioner. He further submitted that the petitioner is living with her parents along with her minor daughter without any source of income. He also further submitted that the petitioner filed petition for restitution of conjugal rights in HMOP.No.556 of 2023 before the Family Court, Salem and it is very difficult for the petitioner to attend the court hearings at Tiruchengode and she was unable to travel 200 kilometers along with her minor daughter. 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 minor daughter and she unable to travel for 200 kilometers. Therefore, the reasons stated by the petitioner and the same is justifiable and minor daughter not been maintained by the respondent as on date. Till date, there is no maintenance amount paid by the



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respondent. Hence, this Court directs the respondent to pay a sum of Rs.20,000/- 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 by the petition filed by either of the parties.

4. Accordingly, the present Tr.C.M.P. is allowed and the HMOP.No.161 of 2023 pending on the file of the Sub Court, Tiruchengode, is withdrawn and transferred to the file of the Family Court, Salem to try along with HMOP.No.556 of 2023. Consequently, connected miscellaneous petition is closed. No costs.

5. The Family Court, Salem, is directed to issue notice to the respondent/husband and dispose the cases as per the manner known to law.

12.10.2023

Speaking / Non Speaking order
Neutral Citation : Yes/No
Index : Yes/No
msrm



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T.V.THAMILSELVI, J.

msrm

To

1.The Sub Court, Tiruchengode.

2.The Family Court, Salem.

TR.CMP No.967 of 2023
and C.M.P.No.23351 of 2023

12.10.2023