



Tr.C.M.P.No.950 of 2023
and CMP.No.22917 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2023

CORAM:

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

Tr.C.M.P.No.950 of 2023

and

CMP.No.22917 of 2023

M.Kalaiarasi

... Petitioner

Vs.

K.Srinath

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., praying to withdraw the H.M.O.P.No.354 of 2022 pending on the file of the Family Court, Theni and transfer the same to the file of the Sub Court, Pollachi.

For Petitioner

: Mr.I.Abrar Mohamed Abdullah

ORDER

The petitioner/wife seeks transfer of H.M.O.P.No.354 of 2022



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pending on the file of the Family Court, Theni, to the Sub Court, Pollachi.

The petitioner /wife seeks transfer of the proceedings before the Sub Court, Pollachi on the ground that she is living at Pollachi in her parental home and she is not able to attend the court hearings by travelling from Pollachi to Theni.

2. The learned counsel for the petitioner submitted that, the marriage between the respondent and the petitioner was solemnized on 09.05.2019 at Muruga Mandapam, Avalchinnampalayam, Coimbatore District, as per Hindu rites and customs. Due to misunderstanding the respondent had filed a divorce petition in H.M.O.P.No.354 of 2022 before the Family Court, Theni to dissolve the marriage. Now the petitioner is residing in her parental home, without any source of income. Hence, she prays to transfer the H.M.O.P.No.354 of 2022 to the file of the Sub Court, Pollachi.

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.354 of 2022 to the file of the Sub Court, Pollachi.



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4. In view of the above, H.M.O.P.No.354 of 2022 is withdrawn from the file of the Family Court, Theni and transferred to the file of Sub Court, Pollachi. The learned Judge, Family Court, Theni is directed to send entire records to the learned Sub Judge, Pollachi, 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 Sub Judge, Pollachi, is directed to issue notice to the respondent and dispose of the case as early as possible from the date of receipt of a copy of this order.

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Index : Yes / No

Neutral Citation: Yes / No

Speaking/Non-speaking order

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T.V.THAMILSELVI, J.

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To

1. The Family Court, Theni.
2. The Sub Court, Pollachi.

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