



Tr.C.M.P.No.988 of 2023
and CMP.No.23700 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2023

CORAM:

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

Tr.C.M.P.No. 988 of 2023

and

CMP.No.23700 of 2023

D.Pradeepa

D/o. Damotharan

... Petitioner

Vs.

M.Stalin

S/o. Mohanraj

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., praying to withdraw the H.M.O.P.No. 473 of 2023 pending on the file of the Family Court, Tiruchirapalli and transfer the same to the Sub-Court, Paramathi, Namakkal.

For Petitioner

: Mr. Deepanuday

ORDER

The petitioner/wife seeks transfer of H.M.O.P.No.473 of 2023 pending on the file of Family Court, Tiruchirapalli to the Subordinate Court, Paramathi, Namakkal. The petitioner /wife seeks transfer of the proceedings before Subordinate Court, Paramathi, Namakkal, on the ground



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that she is living at Chennai with one female child, aged about 8 years and she is not able to attend the court hearings by travelling 120 kms. from Chennai.

2. The learned counsel for the petitioner submitted that, the marriage between the respondent and the petitioner was solemnized on 13.07.2015 at Arulmigu Prasanna Venkataraman Samy Temple, Velur, Pandamangalam, Namakkal District as per Hindu rites and customs Act, out of the wedlock, one female child born to them. The respondent is working as a Planning Engineer in Saudi Arabia. Due to misunderstanding the respondent had filed a petition for divorce in H.M.O.P.No.473 of 2023, which is pending on the file of Family Court, Tiruchirapalli, to dissolve the marriage. The petitioner alone is looking after the welfare of the child. Now she is residing in her parental home at Pothanur, Paramathi Velur. On each and every hearings she has to travel approximately 120 kms from Pothanur. Hence, she prays to transfer the HMOP.No.473 of 2023, to the Subordinate Court, Paramathi, Namakkal District.



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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 HMOP.No.473 of 2023 to the Subordinate Court, Paramathi, Namakkal District.

4. In view of the above, H.M.O.P.No. 473 of 2023 is withdrawn from the file of the Family Court, Tiruchirapalli and transferred to the file of Subordinate Court, Paramathi, Namakkal District, and the learned Family Judge, Tiruchirapalli is directed to send entire records to the learned Subordinate Judge, Paramathi, Namakkal District, 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. Consequently, connected miscellaneous petition is closed. No costs.

6. However, the learned Subordinate Judge, Paramathi, Namakkal District is directed to issue notice to the respondent and dispose of the case

T.V.THAMILSELVI, J.



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as early as possible, preferably within a period of three months from the date
of receipt of a copy of this order.

17.10.2023

Index : Yes / No
Neutral Citation: Yes / No
Speaking/Non-speaking order

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To

1. The Family Judge, Tiruchirapalli.
2. The Subordinate Judge, Paramathi, Namakkal District,

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