



Tr.C.M.P.No.1034 of 2023
and CMP.No.25117 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.11.2023

CORAM:

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

Tr.C.M.P.No.1034 of 2023

and

CMP.No.25117 of 2023

Thilagavathy

... Petitioner

Vs.

P.Kamala Kannan

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., praying to withdraw the H.M.O.P.No. 15 of 2023 pending on the file of the Subordinate Court, Ambattur and transfer the same to the file of the Subordinate Court, Thirupathur.

For Petitioner

: Mr. S.Krishnamoorthy

ORDER

The petitioner/wife seeks transfer of H.M.O.P.No.15 of 2023 pending on the file of the Subordinate Court, Ambattur to the Subordinate Court, Tirupathur. The petitioner /wife seeks transfer of the proceedings before



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the Subordinate Court, Tirupathur on the ground that she is living at Natrampalli, Thirupathur in her parental home with male baby and she is not able to attend the court hearings by travelling from Tirupathur to Ambattur.

2. The learned counsel for the petitioner submitted that, the marriage between the respondent and the petitioner was solemnized on 10.12.2021 at Sri Subbramani Swami Thirukovil, Thiruthani as per Hindu rites and customs. Due to misunderstanding the respondent had filed a divorce petition in HMOP.No.15 of 2023 before the learned Subordinate Judge, Ambattur to dissolve the marriage. Now the petitioner is residing in her parental home with her children, without any source of income. Hence, she prays to transfer the HMOP.No.15 of 2023 to the file of the Subordinate Court, Tirupathur.

3. Considering the facts and circumstances and the reason assigned by the petitioner is justifiable, this Court is inclined to transfer the HMOP.No.15 of 2023 to the file of the Subordinate Court, Tirupathur.



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4. In view of the above, H.M.O.P.No. 15 of 2023 is withdrawn from the file of the Subordinate Court, Ambattur and transferred to the file of Subordinate Court, Tirupathur. The learned Subordinate Judge, Ambattur is directed to send entire records to the learned Subordinate Judge, Tirupathur, 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 Subordinate Judge, Tirupathur, 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.

06.11.2023

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 Subordinate Judge, Ambattur.
2. The Subordinate Judge, Thirupathur.

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