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Tr.C.M.P.No.1028 of 2023
and CMP.No.24847 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2023

CORAM:

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

Tr.C.M.P.No.1028 of 2023

and

CMP.No.24847 of 2023

Janaki

... Petitioner

Vs.

Raja

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., praying to withdraw the H.M.O.P.No. 82 of 2023 pending on the file of the Subordinate Court, Arakonam, Ranipet District and transfer the same to the Subordinate Court, Thiruttani, Thiruvallur District.

For Petitioner

: Mr. G.P.Sivakumar



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ORDER

The petitioner/wife seeks transfer of H.M.O.P.No.82 of 2023 pending on the file of the Subordinate Court, Arakonam, Ranipet District to the Subordinate Court, Thiruttani, Thiruvallur District. The petitioner /wife seeks transfer of the proceedings before the Subordinate Court, Thiruttani on the ground that she is living at Thiruvalangadu with her male child in her parental home and she is not able to attend the Court hearings by travelling from Thiruvalangadu to Arakonam.

2. The learned counsel for the petitioner submitted that, the marriage between the respondent and the petitioner was solemnized on 23.05.2010 at NSC Thirumana Mandapam as per Hindu rites and customs. Due to misunderstanding the respondent had filed a divorce petition in HMOP.No.82 of 2023 before the learned Subordinate Judge, Arakonam to dissolve the marriage. Thereafter, the petitioner has filed DVC.No.4 of 2023 before the learned Judicial Magistrate, Thiruttani. Now the petitioner is residing in her parental home with her male child, without any source of



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income. Hence, she prays to transfer the case in HMOP.No.82 of 2023 to the Subordinate Court, Thiruttani.

3. Considering the facts and circumstances and the reason assigned by the petitioner is justifiable, this Court is inclined to transfer the HMOP.No.82 of 2023 to the Subordinate Court, Thiruttani.

4. In view of the above, H.M.O.P.No. 82 of 2023 is withdrawn from the file of the Subordinate Court, Arakonam, Ranipet District and transferred to the file of the Subordinate Court, Thiruttani. The learned Subordinate Judge, Arakonam is directed to send entire records to the learned Subordinate Judge, Thiruttani, 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.



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T.V.THAMILSELVI, J.

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6. However, the Subordinate Judge, Thiruttani 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.

03.11.2023

Index : Yes / No

Neutral Citation: Yes / No

Speaking/Non-speaking order

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To

1. The Subordinate Judge, Arakonam, Ranipet District.
2. The Subordinate Judge, Thiruttani, Thiruvallur District.

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