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Tr.CMP. No.1337 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2023

CORAM :

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

TR.CMP No.1337 of 2022
and C.M.P.No.22584 of 2022

Suganya

.... Petitioner

-Vs-

Manivannan

.... Respondent

Prayer : Transfer Civil Miscellaneous Petition under Section 24 of C.P.C., to withdraw the HMOP No.43 of 2022 on the file of the Hon'ble Subordinate Court, Gudalur, The Nilgiris and transfer the same to the file of the Hon'ble Additional Family Court, Coimbatore to be tried jointly along with M.C.No.122 of 2020.

For Petitioner : Mr.L.Mouli

For Respondent : No appearance

ORDER

The petitioner Suganya, is the wife of the respondent Manivannan, has come before this Court, seeking an order for withdrawal of the pending H.M.O.P.No.43 of 2022, on the file of the Subordinate Court, Gudalur, The Nilgiris, to the Additional Family Court, Coimbatore to be tried jointly along



with M.C.No.122 of 2020.

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2. The learned counsel for the petitioner submitted that the marriage between the petitioner and the respondent was solemnized on 08.03.2019. He further submitted that the petitioner to undergo severe ill treatment and torture at the hands of the respondent and his family members from the day of marriage demanding more dowry in spite of the fact that the petitioner's parents had fulfilled whatever the dowry demanded by the respondent and his family members. Thereafter, the petitioner and her child was thrown out of matrimonial home and the petitioner filed in M.C.No.122 of 2020 before the Additional Family Court Coimbatore for seeking monthly maintenance of Rs.35,000/- and the same is pending. He further submitted that Gudalur is situated in the Nilgiris District near the Karnataka and Kerala border, which is nearly 150 km from Coimbatore and it is very difficult to travel along with her child at the time of trial. Hence, he prays to transfer the HMOP to the Additional Family Court, Coimbatore.

3.The Court records show that the notice issued by this Court was served on the respondent. Hence, as the respondent in not coming before this Court



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either in person or through a counsel, in spite of the service of notice, this Court is of the view that the respondent has no objection for allowing the Tr.C.M.P. in favour of the petitioner.

4. Accordingly, the present Tr.C.M.P. is allowed and the H.M.O.P.No.43 of 2022 pending on the file of the Subordinate Court, Gudalur, The Nilgiris, is withdrawn and transferred to the file of the Additional Family Court, Coimbatore to be tried joint along with M.C.No.122 of 2020. No costs. Consequently, connected miscellaneous petition is closed.

08.03.2023

Index : Yes/No
Internet : Yes/No
msrm

To
1.The Subordinate Court, Gudalur, The Nilgiris.
2.The Additional Family Court, Coimbatore.



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T.V.THAMILSELVI, J.
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