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Tr.CMP.,No.128 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.04.2024

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

Tr.CMP.No.128 of 2023

and CMP.No.2672 of 2023

Menaka W/o. N. Rajasekaran

... Petitioner

VS

N. Rajasekaran S/o. Nachimuthu.

.. Respondent

PRAYER:- The Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure to withdraw H.M.O.P. No.158 of 2022 pending on the file of the Subordinate Court, Sankari and transfer the same to the file of Family Court, Erode.

For Petitioner : Mr. M. Guruprasad

For Respondent : Ms. K. Komala for
Mr. T.N. Rangesh Kanna

ORDER

The petition has been filed to withdraw H.M.O.P. No.158 of 2022 on the file of the Subordinate Court, Sankari and transfer the same to the



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file of Family Court, Erode.

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2. Heard M. Guruprasad, learned counsel appearing for the petitioner and Ms. K. Komala for Mr. T.N. Rangesh Kanna, learned counsel appearing for the respondent.

3. The petitioner claims that the only support that she had from her father does not exist any more because he recently passed away. Apart from that, she has two girl children who are studying in school and therefore she finds it difficult to travel from Erode where she is residing now, to the Courts at Sankari.

4. The learned counsel appearing for the respondent states that if the case is transferred to the Family Court at Erode, his presence would be essential for every hearing, which would put his life into difficulty and on the alternative, the learned counsel submits that if the case is transferred to the Sub Court, Tiruchengode, it will be beneficial to both parties.

5. In the light of the above submissions, the case in H.M.O.P No.158 of 2022 pending on the file of Sub Court, Sankari is withdrawn and transferred to the file of learned Subordinate Judge, Tiruchengode. The learned Subordinate Judge is requested not to insist on the presence of either the petitioner or the respondent unless or until their physical



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presence before the Court is essential for the purpose of hearing.

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Petition is allowed. No costs. The connected miscellaneous petition is
closed.

04.04.2024

Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation:Yes/No

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V. LAKSHMINARAYANAN,J.

Mjs

To

1. The Subordinate Court, Sankari.
2. The Subordinate Court, Tiruchengode

Tr. CMP. No.111 of 2023

04.04.2024