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Tr.C.M.P.No.210 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2024

CORAM

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

Tr.C.M.P.No.210 of 2023

and

C.M.P.No.4592 of 2023

Abi @ Mahalakshmi

... Petitioner

Vs

Selvaganesh

... Respondent

Prayer : Petition filed under Section 24 of the Code of Civil Procedure praying to withdraw and transfer O.P.No.137 of 2022 from the file of the Subordinate Judge's Court at Neyveli and transfer the same to the file of the Subordinate Judge's Court at Mettur to be tried along with the Original Petition H.M.O.P.No.28 of 2023.

For Petitioner : Mr.M.S.Gokul Raj

For Respondent : Mr.G.Gubendiran

ORDER

The petitioner before me is the wife. She got married to the respondent on 02.12.2019. Soon thereafter, due to the alleged habits of the respondent, she had to separate from him. The husband filed an application seeking for divorce



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before the Sub Court at Neyveli in H.M.O.P.No.137 of 2022. Being desirous to continue her relationship, she filed an application for restitution of conjugal rights before the Subordinate Judge at Mettur in H.M.O.P.No.28 of 2023. The petitioner has no male assistance as her father had passed away when she was at the age of 14. She is currently living with her mother who is about 65 years old.

2. Considering the overall circumstances to expect the hapless lady to travel from Neyveli to Mettur to attend the hearing of proceedings initiated by the husband would cause hardship. Therefore, I am inclined to withdraw H.M.O.P.No.137 of 2022 pending on the file of the Subordinate Judge at Neyveli and transfer the same to be heard along with H.M.O.P.No.28 of 2023 filed by her before the Subordinate Judge at Mettur.

3. In fine, the Tr.C.M.P. stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

05.04.2024

Index : Yes/No

Neutral Citation : Yes/No



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To

- 1.The Subordinate Court,
Neyveli.
- 2.The Subordinate Court,
Mettur.



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V. LAKSHMINARAYANAN, J.

Sgl

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