



TR.CMP.No.282 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.04.2024

CORAM:

THE HONOURABLE Mr.JUSTICE V.LAKSHMINARAYANAN

TR.CMP.No.282 of 2024
and CMP.No.5861 of 2024

Santhi

... Petitioner

Vs

Subramaniyan

... Respondent

Prayer : Transfer Civil Miscellaneous Petition filed under Section 24 of CPC praying to withdraw the petition in H.M.O.P.No.39 of 2021 on the file of Subordinate Court at Attur and transfer the same to the file of Subordinate Court at Rasipuram.

For Petitioner : Mr.T.L.Thirumalaisamy

For Respondent : Mr.L.Rajendran

ORDER

The petitioner-wife has presented this petition to withdraw the petition filed by the respondent-husband in H.M.O.P.No.39 of 2024 before the



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Subordinate Court at Attur, and transfer the same to Subordinate Court at Rasipuram.

2. The petitioner-wife and the respondent-husband got married on 24.08.1998. Out of the wedlock, two children were born. Her son is no more. The respondent-husband had initiated H.M.O.P.No.39 of 2021 on the file of Subordinate Court, Attur, seeking divorce. The petitioner alone is taking care of her only daughter named Keerthana. Since the petitioner is unable to maintain herself and her daughter Keerthana, she moved a maintenance petition in M.C.No.11 of 2022 before the Judicial Magistrate Court, Rasipuram. This apart, the petitioner has also filed a suit for partition in O.S.No.308 of 2011 on the file of I Additional District Court, Salem, against the respondent, and the same is pending.

3. The petitioner pleads that since her husband has not paid any amount to maintain herself, she is in utter penury. She also finds it difficult to travel from Rasipuram to Attur, though the distance between these two cities is not considerable.



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4. Considering the fact that the wife pleads inconvenience and expresses her inability to travel from Salem to Attur for every hearing in H.M.O.P.No.39/2021, I am inclined to allow this petition. Accordingly, H.M.O.P.No.39/2021 is withdrawn from the file of Sub Court, Attur and is transferred to the file of Sub Court at Rasipuram.

5. With the aforesaid directions, this transfer civil miscellaneous petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

23.04.2024

Index:Yes/No

Internet:Yes/No

Speaking order/Non-speaking order
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To:

- 1.The Sub Judge, Attur,
- 2.The Sub Judge, Rasipuram
- 3.The Section Officer
VR Section, High Court, Madras.



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V.LAKSHMINARAYANAN,J.

ds

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