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Tr.C.M.P.No.279 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2024

Coram

THE HON'BLE MR JUSTICE V. LAKSHMINARAYANAN

Tr.C.M.P.No.279 of 2023 &
CMP.No.6040 of 2023

Vijithra

... Petitioner

-Versus-

M.Rajakrishnabharathy

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure to withdraw and transfer HMOP.No.185 of 2022, pending on the file of the Sub Court, Bavani to Sub Court at Pattukottai.

For Petitioner : *Mrs.C.Meena*

For Respondent : *Mr.K.Selvarangan*

ORDER

The petitioner is the wife. The respondent is the husband. The petitioner is a resident of Pattukottai in Thanjavur. The petitioner and the respondent got married on 12.12.2011. It is a marriage of choice, and not one arranged by the parents. From the marriage, a child was born on 08.06.2016. Subsequently, due to matrimonial disputes, the respondent/husband who is a resident of Namakkal,



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has initiated HMOP.No.185 of 2022 for divorce before the Sub Court at Bavani.

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2. The petitioner/wife pleads that the distance between Madukkur and Bavani would be around 300 km and hence, she would not be able to travel such a distance along with her child.

3. The learned counsel for the respondent/husband represents that the respondent/husband intends to withdraw the HMOP itself.

4. He can always take that course of action at Pattukottai if he so desires.

5. Taking into consideration the interest of the wife, the proceeding in HMOP.No.185 of 2022 is withdrawn from the file of the Sub Court at Bavani and is transferred to the file of the Sub Court at Pattukottai.

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

25.04.2024

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Index : yes / no

Neutral Citation : yes / no

Speaking / Non Speaking Order



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To

- 1.The Sub Court, Bavani
- 2.The Sub Court at Pattukottai



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V.LAKSHMINARAYANAN, J.

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