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Tr.C.M.P.No.284 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20..09..2024

Coram

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr. C.M.P. No.284 of 2024

and

C.M.P.No.5875 of 2024

Shobana

..... Petitioner

-Versus-

Arokkiyaraj

..... Respondent

Petition filed under Section 24 of Code of Civil Procedure, praying to withdraw the case in I.D.O.P.No.232 of 2023 from the file of the Principal District Judge at Erode and transfer the same to the file of the Principal District Court at Salem, for trial and disposal.

For Petitioner : *Mr.P.Navaneetha Krihsnan*

For Respondent : *Mr.S.Prajesh Kumar*
for Mr.P.Sesubalan Raja

ORDER

This Transfer Civil Miscellaneous Petition seeks transfer of the case in I.D.O.P.No.232 of 2023 from the file of the Principal District Judge at Erode to the file of the Principal District Court at Salem, for trial and disposal.



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2. The petitioner is the wife. She married the respondent on 06.06.2008 at Koneripatti in Salem District. From the wedlock, two sons were born on 10.07.2009 and 10.12.2015 respectively. On 26.03.2020, the second son passed away. Thereafter, due to disputes and differences, the parties have separated. The respondent/husband has initiated a proceeding for divorce in I.D.O.P.No.232 of 2023 on the file of the learned Principal District Judge, Erode. The petitioner/wife being the resident of Salem finds it difficult to travel to Erode for the purpose of attending the hearing of the divorce proceedings. Hence, this petition.

3. Notice was ordered in this transfer petition on 14.03.2024 and Mr.P.Sesubalan Raja has entered appearance for the respondent/husband.

4. Today, when the matter was taken up, Mr.S.Prajesh Kumar who represented Mr.Sesubalan Raja stated that the respondent/husband has no objection for the transfer of the case in I.D.O.P.No.232 of 2023.

5. Apart from the no objection, I noticed that the petitioner/wife is a permanent resident of Salem and she would find it difficult to travel from Salem to Erode to contest the divorce proceedings initiated by the respondent/husband leaving behind her first son who is aged about 14 years.



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6. Taking into consideration the convenience of the petitioner/wife as well as no objection tendered by the respondent/husband, the transfer petition is accepted. Accordingly, the case in I.D.O.P.No.232 of 2023 pending on the file of the learned Principal District Judge, Erode, is withdrawn and transferred to the file of the Principal District Judge, Salem for disposal.

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

Index : yes / no
Neutral Citation : yes / no
kmk

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To

- 1.The Principal District Judge, Erode, Erode District.
- 2.The Principal District Judge, Salem, Salem District.



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V.LAKSHMINARAYANAN.J.,
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