



WEB COPY



Tr Cmp.No.341 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2024

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Tr CMP.No.341 of 2023

and

CMP.No.7626 of 2023

M.Gajalakshmi

... Petitioner

/vs/

C.Hemanth Kumar

... Respondent

PRAYER : This Transfer Civil Miscellaneous Petition has been filed under Section 24 of Civil Procedure Code to withdraw the HMOP No.708/2019 from the file of the Subordinate Judge, Tambaram and transfer the same to the Subordinate Court, Ambatur.

For Petitioner ... Mr.G.Chanthiraganth

For Respondent ... Mr.M.Vijayakumar

ORDER

This Transfer Civil Miscellaneous Petition has been filed to withdraw the HMOP No.708/2019 from the file of the Subordinate Judge, Tambaram and transfer the same to the file of Subordinate Court, Ambatur.

2.The petitioner is wife and the respondent is husband. The



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petitioner herein has filed the above HMOP No.708/2019 for restitution of conjugal rights. The petitioner's child is studying in a school at Ambattur and hence, she is staying at Ambatur to take care of her child. In such circumstances, it is very difficult to her to travel from Ambattur to Tambaram for attending the every court hearing and hence, the present transfer petition has been filed.

3. The learned counsel for the respondent has submitted that the respondent has no objection for transferring the case from Sub Court, Tambaram to Sub Court, Ambattur.

4. Inview of the submission made by the learned counsel for the respondent and also considering the fact that the reason assigned by the petitioner is justifiable, this Court is inclined to transfer the case, as prayed for in the petition.

5. Accordingly, H.M.O.P.No.708/2019 is hereby directed to be



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withdrawn from the file of the Subordinate Court, Tambarm and transferred to the Subordinate Court, Ambattur. The Subordinate Judge, Tambaram is directed to send the entire records to the Subordinate Court, Ambattur within a period of two weeks from the date of receipt of a copy of this order and on receiving the same, the learned Subordinate Judge, Ambattur is directed to issue notice to both parties and thereafter, dispose of the case on merits, within a period of three months from the date of receipt of a copy of this order.

6. With the above direction, the Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

Index : Yes/No
Internet : Yes/No
mst

06.02.2024

To

- 1.The Subordinate Judge, Tambaram
- 2.The Subordinate Judge, Ambattur.



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V.SIVAGNANAM ,J.

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