



Tr.CMP.No.525 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2024

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Tr.CMP.No.525 of 2024

and

C.M.P.No.11868 of 2024

Ramalakshmi

... Petitioner

Vs.

S.Manirajan

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code to withdraw the case in H.M.O.P.No.33 of 2024 from the file of the Sub Court, Poonamallee and transfer the same to the file of the Sub Court, Sivakasi.

For Petitioner : Ms.Fathimath Mansura

For Respondent : Mr.K.T.S.Sivakumar



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## ORDER

The petitioner, respondent in H.M.O.P.No.33 of 2024 on the file of the Sub Court, Poonamallee filed this petition seeking transfer of the case from the file of the Sub Court, Poonamallee to the file of the Sub Court, Sivakasi.

2.The learned counsel for the petitioner submitted that marriage between the petitioner and the respondent was solemnized on 30.01.2020 at Babu Reddiyar Marriage Hall, Avadi as per Hindu rites and customs. Out of their wedlock, a male child was born to them on 08.10.2020. The entire marriage expense was borne by the petitioner's father. Initially, they lived a peaceful marriage life and thereafter, due to the intervention of respondent's mother and sister, their marriage life was ruined. They abused the petitioner without any reason and harassed her despite the petitioner acted as dutiful wife. Finally, the respondent and his family members chased away the petitioner from matrimonial home. The petitioner is now living with her aged parents along with the child. Though several attempts were taken by the petitioner and her family members for reconciliation, the respondent not



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willing to cohabit with the petitioner. The respondent filed a divorce petition in H.M.O.P.No.33 of 2024 before the Sub Court, Poonamallee. The petitioner has to travel around 1000 kms in both directions to appear before the Sub Court, Poonamallee and since she had aged parents, it is difficult for her to travel alone with her child. Hence, she prays for transfer of H.M.O.P.No.33 of 2024 from the file of the Sub Court, Poonamallee to the file of the Sub Court, Sivakasi.

3.The learned counsel for the respondent submitted that he has no objection for transferring the proceedings in H.M.O.P.No.33 of 2024 to the file of the Sub Court, Sivakasi.

4.At this juncture, both the learned counsel for the petitioner and the learned counsel for the respondent submit that the matter may be referred to Mediation for amicable settlement between the petitioner and the respondent.

5.Considering the facts and circumstances of this case and the contentions of the learned counsels appearing on either side, this Court is of



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the view that the matter may be referred to mediation. Accordingly, the Registry is directed to place the matter before the Tamil Nadu Mediation and Conciliation Centre, Madurai. Both of them agreed for Mr.C.Ramesh [Mobile No.9842156946] to act as a Mediator to resolve the issue between the petitioner and the respondent for continuing with the matrimonial life. Til lsuch time, status quo to be maintained in H.M.O.P.NO.33 of 2024.

6.In the event of failure of Mediation, the case in H.M.O.P.No.33 of 2024 on the file of Sub Court, Poonamallee is transferred to the file of Sub Court, Sivakasi and the same may be disposed of as expeditiously as possible.

7.Accordingly, the Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

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Index:Yes/No  
Speaking Order: Yes/No  
*cse*



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- To
- 1.The Sub Judge,  
Poonamallee.
  - 2.The Sub Judge,  
Sivakasi.



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M.NIRMAL KUMAR, J.

*cse*

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