



Tr.C.M.P.No.594 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2024

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Tr.C.M.P.No.594 of 2024 and
C.M.P.No.12901 of 2024

Santhiya

... Petitioner

Vs.

Nedumaran

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, to withdraw and transfer the HMOP No.162/2023 on the file of Subordinate Court, Cheyyar to the file of the Principal Subordinate Court, Kancheepuram.

For Petitioner : Mr.K.Prasanna

For Respondent : Mr.V.Kadhirvelu

ORDER

The petitioner filed this transfer petition seeking transfer of HMOP.No.162 of 2023 filed by her estranged husband/respondent from the



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file of the Subordinate Court, Cheyyar to the file of the Principal Subordinate Court, Kancheepuram.

2. The learned counsel for the petitioner submitted that marriage between petitioner and respondent solemnized on 03.06.2022 as per the Hindu rites and customs at Balaji Thirumana Maaligai, Sambathiyan Kula Street, Cheyyar. After the marriage, both the petitioner as well as the respondent started their matrimonial life at the residence of respondent. Since the respondent and his family members started to ill-treat the petitioner and the petitioner was not having conducive atmosphere to reside in the matrimonial home, she started living separately from March 2023 onwards. Now, the petitioner is working at Kanchipuram. The H.M.O.P. No.162 of 2023 was filed just to cause harassment to the petitioner. Further, the petitioner has to travel about 80 kms., up and down from Kanchipuram to Cheyyar to attend the Court at Cheyyar.

3. The learned counsel for the respondent submits that on 29.04.2024, the petitioner along with 15 advocates had trespassed into the house of the



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respondent and forcibly taken away the jewels and other valuables from his house. They also assaulted the respondent. Due to which, the mother of the respondent took him to a hospital at Cheyyar and thereafter, a complaint was lodged before the police and the same was registered in C.S.R.No.265 of 2024. In support of his submission, the learned counsel also produced a copy of the complaint. Therefore, the respondent apprehends threat at the hands of the petitioner and his family members, seeks to dismiss the present petition.

4. Upon persuasion, the learned counsel for the respondent agreed to transfer the H.M.O.P.No.162 of 2023 pending on the file of the Sub Court, Cheyyar to the file of the Sub Court, Ranipet.

5. The learned counsel for the petitioner also agreed for the same.

6. In view of the above, this Court withdraws HMOP.No.162 of 2023 from the file of the Sub Court, Cheyyar and transfers the same to the file of the Sub Court at Ranipet.



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7. Accordingly, this transfer civil miscellaneous petition is allowed.

Consequently, connected civil miscellaneous petition is closed. No costs.

29.07.2024

Speaking Order/Non Speaking Order

Index : Yes/No

Internet : Yes/No

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To

1.The Sub Judge
Subordinate Court,
Cheyyar.

2.The Sub Judge
Ranipet.



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M.NIRMAL KUMAR, J.

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