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Tr.CMP.No.653 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2024

Coram

THE HON'BLE MR JUSTICE V. LAKSHMINARAYANAN

Tr.CMP No.653 of 2023

and

CMP.No.16195 of 2023

Heera.S

... Petitioner

-Versus-

Santhosh

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C. seeking to withdraw and transfer the above divorce petition filed before the Sub Court, Cheyyar in HMOP.No.151 of 2022 to the file of the Sub Court at Gudiyatham.

For Petitioner : *Mr.D.Saikumaran*

For Respondent : *Mr.K.G.Senthilkumar*

ORDER

The petitioner and the respondent entered into matrimony on 24.10.2021. Soon thereafter, they were separated. The wife has returned to her native place, Gudiyatham. The respondent/husband, who is a resident of Thellaru, which falls within the jurisdiction of the courts in Cheyyar, had initiated HMOP.No.151 of 2022 for dissolution of marriage on the file of the Sub Court at Cheyyar.



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2. The petitioner, pleading her inability to travel from Gudiyatham to Cheyyar and also the fact that since she is studying Master in Computer Science at Vaniyambadi Jain College in Vellore District, seeks to transfer the proceedings from Cheyyar to Gudiyatham.

3. Notice was ordered in the transfer petition on 28.07.2023. Mr.K.G.Senthil Kumar entered appearance for the respondent.

4. Learned counsel appearing on both sides would submit that, on the creation of new Court at Vandhavasi, HMOP.No.151 of 2022 pending on the file of the Sub Court at Cheyyar has been transferred to Vandavasi and it is yet to be renumbered.

5. Since the petitioner/wife is a student and would find it difficult to travel to Vandavasi for every hearing, I am inclined to consider the transfer petition. Accordingly, with due intimation to the Sub Court at Vandavasi, HMOP.No.151 of 2022 is withdrawn from the file of the Sub Court at Cheyyar and is transferred to the file of the Sub Court at Gudiyatham.



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

11.06.2024

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Index : Yes/No
Speaking Order/Non-speaking order
Neutral Citation : yes/No

To

- 1.The Sub court at Vandavasi
- 2.The Sub Court at Cheyyar
- 3.The Sub Court at Gudiyatham.



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V.LAKSHMINARAYANAN, J.
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