



Tr.C.M.P.No.847 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.10.2024

CORAM

THE HONOURABLE Mr. JUSTICE V.LAKSHMINARAYANAN

Tr.C.M.P.No.847 of 2023

&

C.M.P.No. 20336 of 2023

M.Sandhiya

...Petitioner

Vs.

T.Chinnaras

...Respondent

Prayer: Petition filed under Section 24 of the Code of Civil Procedure to withdraw H.M.O.P.No.211 of 2023 on the file of the Subordinate Court, Poonamallee and transfer the same to the file of the Subordinate Court, Rasipuram.

For Petitioner : Mr. V.Perumal.

For Respondent : Mr. B.Pachayappan.



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ORDER

The petitioner is the wife. She married the respondent on 14.03.2022. Due to dispute and differences, they have separated in May 2022. Thereafter, the parties exchanged notices and the husband proceeded to file H.M.O.P.No.211 of 2023 on the file of the Subordinate Court, Poonamallee, seeking divorce.

2. On being served with the summons, the wife has moved this Transfer Petition.

3. Notice was ordered in this Transfer Petition on 07.09.2023. Thereafter, the matter was referred to Lok Adalat. Since no settlement was arrived at between the parties, the matter is posted before me. There is no dispute in the relationship or the fact that the wife is a permanent resident of Rasipuram. There is no dispute that the wife has also initiated Domestic Violence Case before the Magistrate Court, Rasipuram. The husband has initiated proceedings for divorce before the Subordinate Court,



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Poonamallee. The distance between Poonamallee and Rasipuram is considerable. The wife pleads that her father is a farmer and is not in a position to finance her travel. Furthermore, she is a young woman aged about 24 years. It would not be possible for her to travel all the way from Rasipuram to Chennai for the purpose of contesting litigation.

4. In any event, since the proceedings are being transferred to the file of the Subordinate Court, the husband need not to appear for every hearing. However, he should be represented by a Lawyer of Rasipuram or any other place of his choice.

5. Taking into consideration the convenience of the wife, the petition is allowed. H.M.O.P.No.211 of 2023 pending on the file of the Subordinate Court, Poonamallee is withdrawn and transferred to the file of the Subordinate Court, Rasipuram. Consequently, the connected miscellaneous petition is closed. No costs.

30.10.2024

Index : Yes/No
Internet : Yes/No
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To
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1.The Subordinate Court,
Poonamallee.

2.The Subordinate Court,
Rasipuram.



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V.LAKSHMINARAYANAN, J.

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