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Tr.C.M.P.No.996 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2024

CORAM :

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.C.M.P.No.996 of 2023

and

C.M.P.No.23902 of 2023

Sarala Ranjitharaj

.. Petitioner

Vs.

Santhanamarimuthu

.. Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, 1908, to withdraw H.M.O.P.No.224 of 2023 pending on the file of the learned Additional Subordinate Judge at Kovilpatti and transfer the same to the learned Sub Judge, Alandur tried along with H.M.O.P.No.639 of 2023.

For Petitioner : Mr.Ravindra Ram

For Respondent : Mr.R.Hariharan

ORDER

This transfer petition has been filed seeking transfer of the proceedings in H.M.O.P.No.224 of 2023 from the file of the learned Additional Subordinate Judge, Kovilpatti to the file of the learned Sub Judge, Alandur to be tried along with H.M.O.P.No.639 of 2023.

2. The petitioner and the respondent were married on 09.03.2017 at



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Srivilliputhur. From the wedlock, a male child was born on 09.10.2017 and he is aged about seven years today. The petitioner/wife and the male child are residing in Chennai. Thereafter, the disputes have arisen between the petitioner and the respondent. The respondent/husband, who is a resident of Ettayapuram, Thoothukkudi has initiated the matrimonial proceedings in H.M.O.P.No.224 of 2023 before the learned Additional Subordinate Judge, Kovilpatti.

3. The petitioner/wife is taking care of her seven year old child. She has already initiated the proceedings before the learned Sub Judge, Alandur in H.M.O.P.No.639 of 2023.

4. The petitioner/wife pleads that she is unable to travel from Chennai to Kovilpatti, which are about 600 Kms apart, and hence, seeks transfer of proceedings in H.M.O.P.No.224 of 2023 from the file of the learned Additional Subordinate Judge, Kovilpatti to the file of the learned Sub Judge, Alandur tried along with H.M.O.P.No.639 of 2023.

5. The learned counsel appearing for the respondent states that his client has no objection for transfer of the proceedings.



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6. In order to avoid conflicting judgments, it is better that the cases are held by the same Court. Hence, the proceeding in H.M.O.P.No.224 of 2023 which is now pending before the learned Additional Subordinate Judge, Kovilpatti is withdrawn and it shall stand transferred to the file of the learned Sub Judge, Alandur and shall be heard and tried along with H.M.O.P.No.639 of 2023.

7. In the light of the above, the Transfer Civil Miscellaneous Petition stands allowed. No costs. Connected Civil Miscellaneous Petition is closed.

16.04.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation : Yes/No
arb

V. LAKSHMINARAYANAN, J.

arb

To



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1.The Additional Subordinate Court,
Kovilpatti.

2.The Sub Court,
Alandur.

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and
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