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Tr.C.M.P.No.1057 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.C.M.P.No.1057 of 2023
and C.M.P.No.25523 of 2023

K.Kalaivani

... Petitioner

Vs.

C.Kanagaraj

... Respondent

PRAYER: The Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure read with Section 151 of Code of Civil Procedure, to withdraw the case in H.M.O.P.No.71 of 2023 on the file of the Subordinate Court, Palacode, and transfer the same to the file of the Subordinate Court, Omalur.

(Prayer amended vide order of this Court dated 15.07.2024 in C.M.P.No.6393 of 2024)

For the Petitioner : Mr.P.Praveen Kumar

For the Respondent : Mr.M.Udhaya Suriya

ORDER

This Transfer Civil Miscellaneous Petition has been filed to withdraw the case in H.M.O.P.No.71 of 2023 on the file of the Subordinate Court,



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Palacode, and transfer the same to the file of the Subordinate Court, Omalur.

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2. The petitioner and the respondent entered into matrimony on 27.08.2017. From the wedlock, a girl child was born, who is aged about 5 years now. Due to disputes and differences between them, the petitioner and the respondent have separated and the petitioner has initiated proceedings in M.C.No.7 of 2018 before the Judicial Magistrate, Omalur. In the meantime, the respondent has initiated proceedings in H.M.O.P.No.71 of 2023 before the Subordinate Court, Palacode, for divorce.

3. The petitioner states that the child has been enrolled at Tharamangalam and is now studying 1st standard. She finds it difficult to travel from Tharamangalam to Palacode, to attend the hearing.

4. Notice was ordered in this petition and the respondent has entered appearance through Mr.Udhaya Suriya. He states that the respondent has no objection in transferring the proceedings to Omalur.

5. Taking into consideration the interest of the wife and that the respondent has expressed no objection to transfer the proceedings, the proceedings in



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H.M.O.P.No.71 of 2023 pending before the Subordinate Court, Palacode, is withdrawn and transferred to the file of the Subordinate Court, Omalur.

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

15.07.2024

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

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To
1.The Sub Judge,
Subordinate Court, Palacode.

2.The Judge
Subordinate Court, Omalur.

V.LAKSHMINARAYANAN, J.



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