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Tr.CMP No.1178 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2024

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

TR.CMP No.1178 of 2023
and C.M.P.No.28145 of 2023

R.Pooja Petitioner

-Vs-

C.Thangabalu Respondent

Prayer : Transfer Civil Miscellaneous Petition under Section 24 of C.P.C., to withdraw HMOP No.169 of 2023 which is pending before the Sub Court, Attur and transfer the same to the Subordinate Court, Thittakudi for disposal in accordance with law.

For Petitioner : Mr.M.Kalaiyaran
For Respondent : No appearance

ORDER

The petitioner seeks for transfer of the petition filed for restitution of conjugal rights in HMOP No.169 of 2023 on the file of the Subordinate Court at Attur to the file of the Subordinate Court at Thittakudi.

2. The petitioner and the respondent were married in the year 2016. From the wedlock, two girl children have been born in 2018 and 2021 respectively. The petitioner pleads that she has been turned out of her matrimonial home and is now residing in Thittakudi. The husband initiated restitution of conjugal rights proceedings before the Subordinate Court at Attur.



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V. LAKSHMINARAYANAN, J.

KST

3. The matter was listed yesterday and there was no representation on behalf of the respondent. Therefore, in order to give an opportunity, I listed the matter today. Even today, there is no representation on behalf of the respondent.

4. Taking into consideration the fact that the wife is permanently residing in Thittakudi and is taking care of two toddlers, I am inclined to consider the transfer petition. Accordingly, HMOP No.169 of 2023 is withdrawn from the file of Subordinate Court at Attur and transferred to the file of the Subordinate Judge at Thittakudi. The Tr.C.M.P. is allowed. No costs. Consequently, connected miscellaneous petition is closed.

04.06.2024

Index : Yes/No

Neutral Citation : Yes/No

KST

To

- 1.The Subordinate Court, Attur.
- 2.The Subordinate Court, Thittakudi.

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