



Tr.CMP.(MD)No.482 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.09.2024

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THE HON'BLE MR JUSTICE P. VADAMALAI

Tr.CMP.(MD)No.482 of 2024

and

C.M.P.(MD)No.11311 of 2024

M.Seenivasan

.. Petitioner

Vs.

Kavyapriya

.. Respondent

Prayer : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceeding in H.M.O.P.No. 226 of 2022 on the file of the Sub Court, Pollachi, Coimbatore District and transfer the same to the file of the Sub Court, Oddanchatram, Dindigul District.

For Petitioner : Mr.C.Ezhilarasu

For Respondent : No Appearance



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ORDER

The present Transfer Civil Miscellaneous Petition has been filed to withdraw the proceeding in H.M.O.P.No.226 of 2022 on the file of the Sub Court, Pollachi, Coimbatore District and transfer the same to the file of the Sub Court, Oddanchatram, Dindigul District.

2. The petitioner is the husband and the respondent is the wife. The marriage between the petitioner and the respondent was solemnized on 10.11.2019 at Sri Vasavi Kannika Parameshwari Thirumana Mandapam, Kumaralingam, Udumalai Taluk, Tiruppur District as per the Hindu Rites and Customs. Out of the wedlock, a male child, named Subhakendra, was born, who is aged about 4 years as of today.

3. Due to disputes and differences, the parties have separated, and the petitioner/husband has initiated the proceeding in H.M.O.P.No. 226 of 2022 on the file of the Sub Court, Pollachi, Coimbatore District seeking divorce.

4. The name of the respondent has been printed in the cause list. Despite the name has been printed in the cause list, the respondent/wife has



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neither entered appearance through a counsel nor in-person to oppose this transfer petition.

5. Heard the learned counsel appearing for the petitioner.

6. The learned counsel for the petitioner would submit that the petitioner/husband is now residing at Oddanchatram, Dindigul District. The distance between Oddanchatram and Pollachi is around 180 Kms to and fro, and the petitioner/husband finds it very difficult to travel such a long distance for attending every Court hearing. However, now the petitioner seeks transfer of proceeding from the file of the Sub Court, Pollachi to the file of the Sub Court, Palani, since Palani is equidistant for both the petitioner and the respondent, and the respondent/wife will not have to endure a lot of hardship either.

7. Considering the facts and circumstances of the case, and also considering the fact that Palani would be equidistant for both the parties to attend the Court hearings, this Court is inclined to allow this petition.



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8. The learned Judge, Sub Court, Pollachi, Coimbatore District is directed to transmit the entire records, pertaining to the case in H.M.O.P.No.226 of 2022, to the file of the Sub Court, Palani within a period of three weeks from the date of receipt of a copy of this order, and on receipt of such records, the learned Judge, Sub Court, Palani, Dindigul District is directed to take the case on file and dispose of the same in accordance with law.

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

25.09.2024

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Index:Yes/No

Speaking Order :Yes/No

Neutral Citation:Yes/No



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P. VADAMALAI, J.

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To

- 1.The learned Judge, Sub Court,
Pollachi, Coimbatore District
- 2.The learned Judge, Sub Court,
Palani, Dindigul District

Tr.CMP.(MD)No.482 of 2024

and

C.M.P.(MD)No.11311 of 2024

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