



TR CMP(MD)No.601 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

TR CMP(MD)No.601 of 2023

and

C.M.P.(MD)No.13268 of 2023

Shanmuga Priya

... Petitioner/Respondent

vs.

Shiyam Prakash

... Respondent/ Petitioner

Prayer:- Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to call for the records relating to the HMOP No.206 of 2023 on the file of the Principal Sub Court, Tenkasi, Tenkasi District and withdraw and transfer the same to the Sub Court, Srivaikundam.

For Petitioner	: Mr.D.Jebaraj
For Respondent	: Mr.S.Selvakumar

ORDER

The wife has filed the present transfer civil miscellaneous petition to withdraw the case in HMOP No.206 of 2023 from the file of the Principal Sub Court, Tenkasi, Tenkasi District and to transfer the same to the learned Sub Judge, Srivaikundam.



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2. On a perusal of the affidavit filed in support of the application, the wife has pleaded hardship.

3. The learned counsel appearing on behalf of the respondent would submit that the same hardship would result to the respondent also as he has to travel 200 kms.,

4. It is true that it will result in hardship for either of the parties. But when this Court considered the hardship faced by the wife who is said to have taken care of the two years old child also, the same weighs before this Court and accordingly, the Transfer Civil Miscellaneous Petition is allowed. HMOP No.206 of 2023 is withdrawn from the file of the Principal Sub Court, Tenkasi, and transferred to the file of the Sub Court, Srivaikundam. No costs. Consequently, connected miscellaneous petition is closed.

12.07.2024

NCC : Yes / No
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To

- 1.The Principal Sub Court, Tenkasi, Tenkasi District.
- 2.The Sub Court, Srivaikundam.



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D.BHARATHA CHAKRAVARTHY, J.

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