



Tr.C.M.P.(MD)No.609 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.12.2024

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Tr.C.M.P.(MD)No.609 of 2024
and
C.M.P.(MD)No.14609 of 2024

Abirami Anbalagan

... Petitioner

Vs.

Vignesh Kumar

... Respondent

Prayer : This Transfer Civil Miscellaneous Petition filed under Section 24 C.P.C., to withdraw the petition in H.M.O.P.No.2 of 2024 on the file of the Sub Court, Lalgudi, and transfer the same to the Sub Court, Alandhur.

For Petitioner : Ms.J.R.Annie Abinaya

For Respondent : No appearance

ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw the case on the file of the Subordinate Court, Lalgudi, in H.M.O.P.No.2 of 2024 and transfer the same to the Subordinate Court, Alandhur.



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2. Despite receipt of notice, the respondent has not entered into appearance.

3. Heard the learned counsel appearing for the petitioner.

4. It is evident from the records that the marriage between the petitioner and the respondent was solemnized on 23.06.2021. It is not in dispute that the respondent has filed a petition in H.M.O.P.No.2 of 2024 seeking restitution of conjugal rights and the same is pending on the file of the Subordinate Court, Lalgudi. It is also not in dispute that the petitioner has filed a petition invoking the provisions of Domestic Violence Act in D.V.C.No.2 of 2024 and the same is pending on the file of the Judicial Magistrate, Pallavaram.

5. The learned counsel appearing for the petitioner would submit that the petitioner is now doing third year in five year LLB course at Vels University, Chennai and is resident of Pallavaram, Chennai and that she finds it difficult to travel from Chennai to Lalgudi, Trichy to attend the hearings.



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6. Considering the above facts and circumstances of the case and also taking note of the fact that the petitioner is residing and studying at Chennai, this Court is of the view that the case in H.M.O.P.No.2 of 2024 is ordered to be withdrawn from the file of the Subordinate Court, Lalgudi, and transfer the same to the file of the Subordinate Court, Alandhur. Accordingly, the learned Subordinate Judge, Lalgudi, is hereby directed to transmit the entire records in H.M.O.P.No.2 of 2024 to the file of the Subordinate Court, Alandhur, within a period of 10 days from the date of receipt of a copy of this order and on receiving the case bundle, the learned Subordinate Judge, Alandhur, is directed to take up the petition on file and proceed in accordance with law.

7. With the above direction, the Transfer Civil Miscellaneous Petition stands allowed. Consequently, connected Miscellaneous Petition is closed. No costs.

09.12.2024

NCC :yes/No
Index :yes/No
Internet:yes/No
csm



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K.MURALI SHANKAR,J.

csn

To

1. The Subordinate Court,
Lalgudi.
2. The Subordinate Court,
Alandhur.
- 3.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Tr.C.M.P.(MD)No.609 of 2024
and
C.M.P.(MD)No.14609 of 2024

Dated : 09.12.2024