



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 04.06.2025

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

Tr.C.M.P.No.204 of 2025

& CMP.No.4057 of 2025

M.Dhanalakshmi

... Petitioner

vs.

S.Sarath Kumar

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure to withdraw H.M.O.P.No.327 of 2024 on the file of the Subordinate Court, Thiruvottiur and the same may be transferred to the Subordinate Court, Ulundurpet.

For Petitioner : Mr.A.Jenif Princy

For Respondent : Mr.K.B.Vivekanandhan

ORDER

This Transfer Civil Miscellaneous Petition has been filed to withdraw H.M.O.P.No.327 of 2024 on the file of the Subordinate Court, Thiruvottiur, and transfer the same to the file of the Subordinate Court, Ulundurpet.



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2. The petitioner is the wife of the respondent herein. H.M.O.P.No.327 of 2024 has been filed by the respondent herein, seeking dissolution of marriage. The said divorce petition has been pending before the Subordinate Court, Thiruvottiyur. The petitioner/wife has come forward seeking transfer of the said H.M.O.P.No.327 of 2024 from the file of the Subordinate Court, Thiruvottiyur to the file of the Subordinate Court, Ulundurpet, where she is residing, citing difficulties in traveling all the way from her village to Thiruvottiyur. *Prima facie*, the petitioner/wife has made out a case for transfer of H.M.O.P.No.327 of 2024.

3. The learned counsel appearing for the respondent, however, submitted that H.M.O.P.No.37 of 2024 is pending only before the Subordinate Court, Thiruvottiyur and therefore, the physical appearance of the petitioner may be dispensed with and the transfer petition has to be dismissed.

4. However, considering the fact that the petitioner/wife has expressed difficulties to attend the hearing at Thiruvottiyur which is



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250 kms far away from her place at Ulundurpet, I am inclined to entertain the request of the petitioner/wife for transfer of H.M.O.P.No.327 of 2024, at the same time, protecting the interest of the respondent/husband.

5. In fine, this Transfer Civil Miscellaneous Petition is ordered as prayed for. H.M.O.P.No.327 of 2024 on the file of the Subordinate Court, Thiruvottiur, is hereby transferred to the file of the Subordinate Court, Ulundurpet. The Subordinate Court, Ulundurpet, is directed not to insist upon the physical appearance of the respondent/husband for all the hearing dates, except for the hearing dates where the presence of the respondent is absolutely necessary. The Subordinate Court, Ulundurpet, shall expedite the hearing in H.M.O.P.No.327 of 2024 and dispose of the same on or before 31.01.2026. There shall be no order as to costs. Connected miscellaneous petition is closed.

04.06.2025

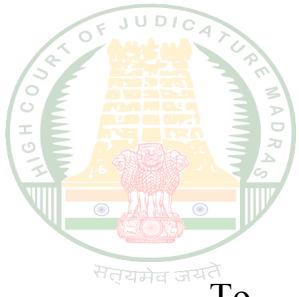
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Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation Case : Yes / No

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To

1.The Subordinate Court, Thiruvottiyur.

2.The Subordinate Court, Ulundurpet.



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P.B. BALAJI,J.

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