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Tr.CMP.No.198 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.04.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

Tr.CMP.No.198 of 2025
and CMP.No.3946 of 2025

P.Priyanka

... Petitioner

Vs.

Srivathsan

... Respondent

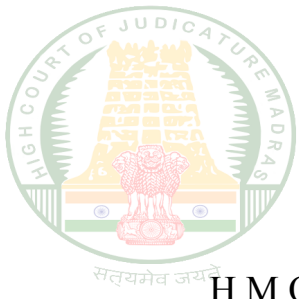
Prayer: Transfer Petition filed under Sec.24 of CPC praying to withdraw the case in H.M.O.P.No.150 of 2024 on the file of Sub Court, Kanchipuram and transfer the same to the file of Sub Court, Alandur, and to be tried along with H.M.O.P.No.924 of 2024 on the file of Sub Court, Alandur.

For Petitioner : Mr.T.Muruganantham

For Respondent : Ms.S.Anuradha Balaji

ORDER

The petitioner-wife has filed the present transfer petition seeking to withdraw HMOP.No.150 of 2024 filed by the respondent-husband before the Sub Court, Kanchipuram, and transfer the same to Sub Court, Alandur, to be tried along with H.M.O.P.No.924 of 2024, filed by the petitioner.



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2. The petitioner would seek transfer of the proceedings in H.M.O.P.No.150 of 2024 from the file of Sub Court, Kanchipuram, to the file of Sub Court, Alandur, on the ground that she has already initiated a case under the Domestic Violence Act in DVC.No.70 of 2024, which is pending on the file of Additional Mahila Court, Alandur, and that the respondent and his family members are attending the Court proceedings at Alandur. That apart, she has also filed M.C.No.59 of 2024, which is also pending before the Additional Mahila Court at Alandur. In addition, the petitioner-wife has also filed a petition for restitution of conjugal rights before the Sub Court at Alandur in H.M.O.P.No.924 of 2024. The petitioner would allege that since all the proceedings initiated by her are pending before the Sub Court, Alandur, and that her residence also falls within the jurisdiction of Sub Court, Alandur, the proceedings in HMOP.No.150 of 2024 filed by the respondent-husband, may also be transferred to Sub Court, Alandur, to be tried along with HMOP.No.924 of 2024 filed by her before Sub Court, Alandur.

3. The learned counsel appearing for the respondent would submit that the respondent-husband has no objection to the transfer, but would submit that in the affidavit filed in support of the present transfer petition, the petitioner-



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wife has made several allegations against the respondent-husband, which has no basis and are concocted.

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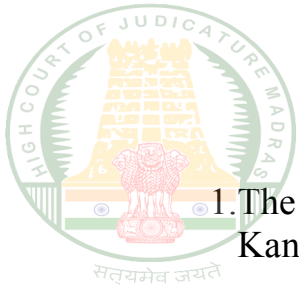
4. Heard the learned counsel on either side.

5. Considering the convenience of the petitioner-wife and that the respondent has no objection in allowing the transfer, the present Transfer CMP is allowed and HMOP No.150 of 2024 pending on the file of Sub Court, Alandur, is withdrawn and transferred to Sub Court, Alandur, to be tried along with HMOP.No.924 of 2024. It is needless to state that the learned Subordinate Judge, Alandur, shall dispose of the said HMOPs, without being influenced by the unsubstantiated allegations made against the respondent, as alleged in the affidavit. No costs. Consequently, connected miscellaneous petition is closed.

24.04.2025

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes / No
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To:



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1.The Sub Judge
Kanchipuram.

2.The Sub Judge
Alandur.

3.The Section Officer
VR Section
High Court, Madras.



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P.T. ASHA, J.

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