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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.04.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

TR C.M.P.No.262 of 2025
and C.M.P.No.5073 of 2025

P.Amutha ... Petitioner

Vs

M.Shanmugaraj ... Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, praying to withdraw the petition in H.MO.P.No.74 of 2024 on the file of The Subordinate Judge of Sankari at Salem district and transfer the same to the Subordinate Judge of Gobichettipalaym.

For Petitioner : Mr.V.Nicholas

For Respondent : Mr. C.E.Pratap

ORDER

The Petitioner/wife has filed this Transfer Civil Miscellaneous Petition seeking to withdraw the H.MO.P.No.74 of 2024 pending on the file of the Subordinate Court, Sankari, Salem District and transfer the same to the file of the Subordinate Court, Gobichettipalayam.

2. The respondent-husband had filed H.MO.P.No.74 of 2024 on the

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file of the Subordinate Court, Sankari, Salem District for divorce.

3. The petitioner-wife seeks transfer on the following grounds:

(i) The petitioner is a resident of Gobichettipalayam, Erode where she is living with her minor son aged about 3 years.

(ii) No maintainence has been paid by the respondent and the petitioner has filed M.C.No.9 of 2024 on the file of the Judicial Magistrate-I, Gobichettipalayam.

4. Heard the learned counsel for the petitioner and the learned counsel for the respondent and perused the materials available on record.

5. Taking into consideration the facts and circumstances of the case and looking into the grievances expressed by the petitioner, the Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.74 of 2024 pending on the file of the Subordinate Court, Sankari, Salem District shall stand withdrawn and transferred to the file of the Subordinate Court, Gobichettipalayam. The learned Subordinate Judge, Gobichettipalayam shall first attempt mediation between the parties before taking up the matter for

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enquiry. No costs. Consequently, connected civil miscellaneous petition is closed.

03.04.2025

Index: Yes/No
Speaking order/non-speaking order
Neutral Citation: Yes/No
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To,

1. The Subordinate Court, Salem
2. The Subordinate Court, Gobichettipalaym.

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P.T.ASHA, J.,

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