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Tr.CMP.No.301 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.04.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

Tr.CMP.No.301 of 2025
and CMP.No.6159 of 2025

S.Priya Ranjani

... Petitioner

Vs.

D.Rajesh

... Respondent

Prayer: Transfer Petition filed under Sec.24 of CPC praying to withdraw the case in HMOP.No.47 of 2023 pending trial on the file of Subordinate Court at Katpadi and transfer the same to Subordinate Court at Arakkonam.

For Petitioner : Mr.K.Sarath Kumar

For Respondent : No appearance

ORDER

The petitioner-wife has filed the present transfer petition seeking to withdraw the HMOP.No.47 of 2023 filed by the respondent-husband before the Subordinate Court, Katpadi and transfer the same to Subordinate Court at Arakkonam.



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2. The petitioner is the permanent resident of Arakkonam. The respondent-husband resides at Katpadi. According to the petitioner, they got married on 25.04.2016 and out of the wedlock, two children were born. As days rolled on, the respondent-husband started harassing the petitioner both physically and mentally. Unable to withstand the torture, she left her matrimonial home and was forced to lodge a complaint before All Women Police Station, Arakkonam. As a counter blast to the police complaint, the respondent-husband filed a petition for divorce in H.M.O.P.No.47 of 2023 before the Subordinate Court, Pondicherry. The petitioner-wife also filed a DVC proceedings before the Judicial Magistrate Court No.I, Arakkonam.

3. The petitioner would contend that she lives out of her mother's pension and therefore, she cannot afford money for her travel to Katpadi. She also finds it physically difficult to travel from Arakkonam to Katpadi to attend every court hearings. She also fears threat at the hands of the respondent-husband in contesting the case at Katpadi, as there is no one in her family to support her. Hence, she seeks transfer.



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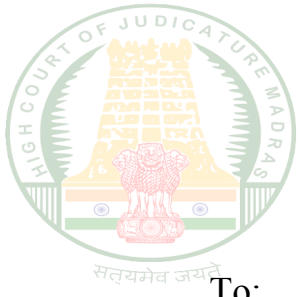
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4. Heard the learned counsel for the petitioner. The notice attempted to be served on the respondent privately, was returned with an endorsement 'refused'. Hence, it is recorded as 'deemed service'.

5. Taking into account the difficulties expressed by the petitioner both physically and monetarily in travelling to Katpadi to attend every court hearings and also the fact that the DVC proceedings initiated by the petitioner, are pending before a Court at Arakkonam, I am inclined to allow the transfer petition. Accordingly, the transfer petition is allowed and H.M.O.P.No.47 of 2023 pending on the file of the Subordinate Court at Katpadi is withdrawn from its file and transferred to Subordinate Court at Arakkonam. No costs. Consequently, connected miscellaneous petition is closed.

21.04.2025

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes / No
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To:
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- 1.The Subordinate Judge
Katpadi.
- 2.The Subordinate Judge
Arakkonam.
- 3.The Section Officer
VR Section
High Court, Madras.



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P.T. ASHA, J.

ds

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