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Tr.CMP. Nos.376 & 376 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **13.06.2025**

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THE HONOURABLE MR JUSTICE P.B. BALAJI

TR.CMP. Nos.376 & 371 of 2025

and CMP. Nos.8347 & 8271 of 2025

M.Nagalakshmi

Petitioner in both TR.CMPs

Vs

N.Senthilkumar

Respondent in both TR.CMPs

COMMON PRAYER: This Transfer Civil Miscellaneous Petitions are filed under Section 24 of CPC, to withdraw the proceedings in HMOP. No.1008 of 2023 & HMOP. No.215 of 2023 on the file of the Sub Court Ambattur and transfer to the Principal Sub Court, Karur in accordance with law.

For Petitioner : Mr.P.Veeramalai in both TR.CMPs

For Respondent : Mr.K.Suresh in both TR.CMPs.

COMMON ORDER

The petitioner has come forward with the present TR.CMP. Nos. 371 & 376 of 2025 to withdraw the proceedings in HMOP. No.1008 of 2023 & HMOP. No.215 of 2023 on the file of the Sub Court Ambattur



and transferred to the file of the Principal Sub Court, Karur

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2. Heard learned counsel for the petitioner, Mr.P.Veeramalai and Mr.K.Suresh, the learned counsel for the respondent.

3. The petitioner is the wife who seeks transfer of the proceedings pending on the file of the Sub Court, Ambattur to be transferred to the file of Principal Sub Court, Karur. Though the petitioner herself has chosen to approach the Sub Court, Ambattur to initiate both the above proceedings, the reason for seeking such request, is that pending the proceedings as late as in December 2024, the petitioner has moved back to Karur and she resides with her child.

4. The learned counsel for the petitioner would further state that the respondent is a practicing Advocate in Karur and therefore, he would have no difficulty if the matters are transferred to the Principal Sub Court, Karur. He would therefore pray for the Transfer Civil Miscellaneous Petitions be ordered as prayed for.

5. Per contra, the learned counsel for the respondent would

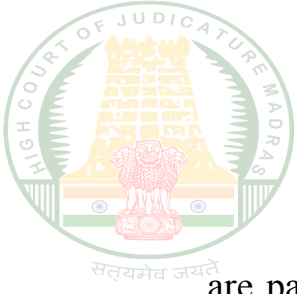


Tr.CMP. Nos.376 & 376 of 2025

vehemently opposes the request of the petitioner/wife for transfer on the ground that the petitioner had earlier chosen to initiate both the proceedings before the Sub Court, Ambattur and now only in order to harass the respondent/husband who is now the Public Prosecutor in Karur Court, the petitioner has, with ulterior motive, moved back to Karur and thereafter sought for transfer. Hence, he prayed for dismissal of the above Transfer Miscellaneous Petitions.

6. Without going into merits and demerits of the allegations made, in the interest of both the parties, considering the above facts and circumstances, I hereby transfer the proceedings from the file of the Sub Court, Ambattur to the file of Sub Court, Dindigul, where the physical presence of the parties may not be necessary for all the hearings, except during trial of the proceedings. It is also made clear that whenever the petitioner/wife is required to appear before the Sub Court, Dindigul, the respondent shall meet the travel expenses at the rate of Rs.1,000/- (Rupees Thousand only) per day.

P.B.BALAJI, J.,



Tr.CMP. Nos.376 & 376 of 2025

7. With these observations, the Transfer Miscellaneous Petitions

are partly allowed and the learned Sub Judge, Dindigul shall decide the matters and dispose of the proceedings finally, within a period of six (6) months from the date of receipt of the copy of the order. No costs.

Connected Miscellaneous Petitions are closed.

13.06.2025

rkp

Index : Yes / No

Internet : Yes / No

To:

1. The Sub Judge,
Sub Court Ambattur.

2. The Sub Judge, Dindigul.

TR.CMP. Nos.376 & 371 of 2025
and CMP. Nos.8347 & 8271 of 2025