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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.02.2025

CORAM

THE HONOURABLE **Ms.JUSTICE P.T.ASHA**

Tr.C.M.P.No.597 of 2023

and

C.M.P.No.14879 of 2023

R.Sathiya Priya

... Petitioner

Vs.

R.Magesh

...Respondent

PRAYER: The Transfer Civil Miscellaneous Petition has been filed under Section 24 of CPC, 1908, praying to withdraw the H.M.O.P.No.212 of 2023 on the file of Subordinate Judge, Ambattur, Chennai and to transfer the same to the file of Sub-Court, Thiruvarur.

For Petitioner :Mr.M.Tamizavel

For Respondent :No appearance - served

ORDER



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The respondent-wife has filed this Tr.C.M.P. seeking to withdraw and transfer H.M.O.P. No. 212 of 2023, pending on the file of the Sub-Court, Ambattur, Chennai, to the file of the Sub-Court, Thiruvarur.

2. The respondent-husband, though served, has not entered an appearance.

3. The petitioner seeks a transfer, stating that a complaint in D.V.C. No. 10 of 2023 is pending before the Additional Mahila Court, Thiruvarur. The respondent has thereafter filed an application for restitution of conjugal rights in H.M.O.P. No. 212 of 2023, currently before the Sub-Court, Ambattur.

4. The petitioner submits that it would be expensive and time-consuming for her to travel from Peralam, Thiruvarur District, to Ambattur for the hearings of the H.M.O.P. before the Sub-Court, Ambattur.

5. Additionally, the petitioner is entirely dependent on her parents for financial support, as the respondent has not provided her with maintenance. Hence, she has sought the transfer.

6. Considering the arguments of the learned counsel for the petitioner and the reasons provided in the affidavit supporting the transfer petition, the



request for transfer is justified. Therefore, H.M.O.P. No. 212 of 2023 is withdrawn from the Sub-Court, Ambattur, Chennai, and transferred to the Sub-Court, Thiruvavarur.

7. Accordingly, the Transfer Civil Miscellaneous Petition is allowed.

12.02.2025

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Index: Yes/No

Speaking Order: Yes/No

To

1. The Subordinate Judge, Ambattur, Chennai
2. The Sub-Court, Thiruvavarur.

P.T.ASHA,J.,

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