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TR.C.M.P.No.777 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2025

CORAM

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

TR.C.M.P.No.777 of 2024

P.Ashokan

...Petitioner

Vs.

T.Subatra @ Subha

...Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw and transfer the H.M.O.P.No.71 of 2023 pending on the file of Sub-Court, Poonamalle to Sub Court, Alandur.

For Petitioner : Mr.G.V.Sridharan

For Respondent : No appearance

ORDER

This petition has been filed to withdraw and transfer H.M.O.P.No.71 of 2023 pending on the file of Sub-Court, Poonamalle to Sub Court, Alandur.

2.Heard the learned counsel for the petitioner and perused the



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materials available on record.

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3.The learned counsel for the petitioner would submit that the respondent has not chosen to enter appearance despite service of notice. I find that the service of notice has been completed on the respondent and the name of the respondent is also printed in the cause list for list of today's cases. The respondent is called and set ex-parte.

4.Learned counsel for the petitioner would further submit that the petitioner filed a case in H.M.O.P.No.71 of 2023 before the Sub-Court, Poonamallee. Now, the respondent had given a complaint under DVC Act, before the Mahila Court, Alandur and hence, it is proper and necessary to transfer the above HMOP before the Sub-Court Alandur from Sub-Court, Poonamallee because the Mahila Court and Sub-Court are functioning in the same campus. It is the specific contention of the learned counsel for the petitioner that no prejudice would be caused to the respondent, if the transfer request made by the petitioner/husband is acceded to and if decided otherwise, he would be put to great loss and hardship.



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5.I have gone through the affidavit filed in support of the transfer petition as well. I find merit in the submissions made by the learned counsel for the petitioner.

6.In view of the above and also subsequent developments that have been highlighted by the learned counsel for the petitioner, there can be no impediment for TR.C.M.P.No.777 of 2024 being allowed as prayed for. Accordingly, this Transfer Civil Miscellaneous Petition is allowed. The case in H.M.O.P.No.71 of 2023 is hereby withdrawn from the file of the Sub Court, Poonamalle and transferred to the file of the Sub Court, Alandur. No costs.

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Index : Yes/ No
Speaking (or) Non Speaking Order
Neutral Citation: Yes/No
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To

- 1.The Sub Court,
Poonamalle.
- 2.The Sub Court,
Alandur.



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M.JOTHIRAMAN, J.

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