



WEB COPY

TR CMP No. 870 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-08-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

TR CMP No. 870 of 2025

1. V.Radhika

W/o. B. Pradeep, No.13, Pichamuthu
Nagar, M.K.Thattam, Chidambaram -
608 001.

Petitioner(s)

Vs

1. P.Pradeep

S/o. T. Babu, No.18/6, Middle Street,
Aziz Nagar Edakkal, Villupuram,
Tamil Nadu - 606 107.

Respondent(s)

TR CMP No. 870 of 2025

PRAYER

This transfer civil miscellaneous petition is filed under Section 24 of CPC, praying to order withdrawal of HMOP. No.34 of 2023 on the file of Sub Court Ulundurpettai and transfer the same to the court of the judicial magistrate II at Chidambaram along with M.C.No.7 of 2024, and try both cases together.



For Petitioner: Mr.S.Shabana Anjum.

ORDER

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The petitioner seeks transfer of HMOP proceedings before the Sub Court, Ulundurpettai, to be tried along with [MC.No.7/24](#) before the judicial magistrate, Chidambaram.

2.Such hierarchy of courts cannot be upset by seeking the transfer of proceedings pending before the higher forum, namely the sub-court, Ulunthurpettai, to be tried by a subordinate court, namely the Magistrate Court at Chidambaram,I am not inclined to allow this transfer petition. Moreover, the Judicial Magistrate is not competent to try a petition filed under the Hindu Marriage Act.

3. It is open to the petitioner to seek transfer of the maintenance proceedings and not the HMOP proceedings as sought for. In the light of the above, I do not find the transfer CMP is being maintainable, accordingly dismissed. No costs.

13-08-2025

Jrs



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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

The Judge, sub-Court, Ulunthurpettai.



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P.B.BALAJI J.

jrs

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