



WEB COPY

Tr. CMP.No.1080 of 2024,



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

Tr. CMP.No.1080 of 2024

and

C.M.P.No.23822 of 2024

P.Divya

... Petitioner

Vs.

C.Madhan Kumar

... Respondent

Prayer:- Transfer Petition is filed under Section 24 of the CPC to withdraw HMOP.No.34 of 2024 pending on the file of Learned Sub Court, Oddanchatram and to transfer the same to the learned Sub Court, Dharapuram to try it along with HMOP.No.79 of 2024.

For Petitioner : M/s.N.Ponraj

For Respondent : M/s.K.Kathiresan



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ORDER

The above Petition is filed to withdraw and transfer HMOP.No.34 of 2024 pending on the file of Sub Court, Oddanchatram to the Sub Court, Dharapuram to be tried along with HMOP.No.79 of 2024.

2. Reasons for seeking transfer:-

- i) The petitioner/wife is residing in Dharapuram Taluk, Tiruppur District and has filed an application for divorce in HMOP.No.79 of 2024 which is pending on the file of the Sub Court, Dharapuram.
- ii) The distance between the present residence of the petitioner/wife to the Sub Court, Oddanchatram is more than 45 kms.

3. Heard the learned counsel for the petitioner and the learned counsel for the respondent and perused the materials available on record.

4. Considering the fact that the sufficient reasons for seeking the transfer have been stated in the affidavit filed in support of the transfer petition and also taking into account the fact that no prejudice would



be caused to the respondent/husband since the matter is only before the Sub-Court where the presence of party for every hearing is not mandatory, the Transfer Civil Miscellaneous Petition is allowed and HMOP.No.34 of 2024 pending on the file of the Sub Court, Oddanchatram is withdrawn and transferred to the file of the Sub Court, Dharapuram, to be tried along with HMOP.No.79 of 2024. A direction is issued to the Sub Court, Dharapuram to first refer the parties to mediation, and if the mediation fails, then to proceed with the proceedings. No costs. Consequently, the connected Miscellaneous Petition is closed.

01.04.2025

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

1.The Family Court, Thirupathur.

2.The Sub Court, Dharapuram



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