

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2015

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Tr.C.M.P.No.685 of 2015
and M.P.No.1 of 2015

S.Sathya Priyanga .. Petitioner/Respondent

Vs.

P.Saravana Kumar .. Respondent/Petitioner

Prayer:- Civil Revision Petition filed under Section 24 of Civil Procedure Code to withdraw and transfer the HMOP No.28 of 2015 from the file of Subordinate Court, Coimbatore to the file of Sub Court, Sathyamangalam.

For Petitioner : Mr.D.Palaniswamy

For Respondent : Mr.R.Narendran

O R D E R

Heard both sides.

2. The petitioner herein, who is the respondent in H.M.O.P.No.28 of 2015 has come forward with this application seeking to withdraw the said case, pending on the file of Sub Court, Coimbatore and transfer the same to the Sub Court, Sathyamangalam.

3. The learned counsel appearing for the petitioner submitted that the respondent herein, who is the husband of the petitioner herein, filed H.M.O.P.No.28 of 2015 on the file of the Sub Court, Coimbatore, for divorce on the ground of cruelty. He further submitted that the petitioner herein is residing at Sathyamangalam along with her parents and her child and she is unable to attend each and every hearing at Coimbatore by travelling more than 80 Kms to attend the divorce proceedings before the Sub Court, Coimbatore. Hence, she has come forward with this petition to transfer H.M.O.P.No.28 of 2015 from the file of Sub Court, Coimbatore, to the file of Sub Court, Sathyamangalam.

4. The learned counsel for the respondent submitted that the respondent has no objection in transferring the H.M.O.P., case from Sub Court, Coimbatore to the Sub Court, Sathyamangalam.

5. Considering the submission made by the learned counsel appearing for the petitioner and the averments made in the affidavit filed in support of this petition, H.M.O.P.No.28 of 2015 is ordered to be withdrawn from the file of the Sub Court, Coimbatore and transferred to the file of the Sub Court, Sathyamangalam for disposal in accordance with law. The Subordinate Judge, Coimbatore, is directed to transmit the records pertaining to H.M.O.P.No.28 of 2015 to the file of the Sub Court, Sathyamangalam, within a period of two weeks from the date of receipt of a copy of this order. On receipt, the Subordinate Judge, Sathyamangalam, is directed to dispose of the same within four months.

6. Accordingly, this Transfer Civil Miscellaneous Petition is ordered. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

nvsri

To

- 1.The Subordinate Court, Coimbatore.
- 2.The Subordinate Court, Sathyamangalam.

+1cc to Mr.R. Narendran, Advocate, S.R.No.67960
+2ccs to Mr.D. Palaniswamy, Advocate, S.R.No.68326

SCD(CO)
EU(7/01/2016)

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