



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.06.2015

CORAM

WEB COPY

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Tr.C.M.P (MD) No.331 of 2014
and
M.P (MD) No.1 of 2014

Sangeetha

... Petitioner

Vs.

S.Bharathidasan

... Respondent

Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code to withdraw the case in H.M.O.P.No.95 of 2014 on the file of the Hon'ble Principal Sub-Court, Thanjavur to the file of this Hon'ble Court and to transfer the same to the file of Hon'ble Principal Sub-Court, Trichy.

For Petitioner : Mr.B.Saravanan

For Respondent : Mr.V.S.Kumara Guru

ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw the case in H.M.O.P.No.95 of 2014 on the file of the Hon'ble Principal Sub-Court, Thanjavur to the file of this Hon'ble Court and to transfer the same to the file of Hon'ble Principal Sub-Court, Trichy.

2. The petitioner herein is the wife and the respondent is the husband. The marriage was solemnized between the petitioner and the respondent on 24.05.2010. After the marriage, both the petitioner and the respondent were residing in matrimonial home at Santhosapuram near Tambaram and both of them were working in IT Company. In the wedlock, a female child was born on 04.06.2011. The respondent had gone abroad for a period of one year and he did not maintain the petitioner and her child. After coming to India, the respondent harassed the petitioner continuously without any reason.

3. The petitioner filed M.C.No.18 of 2014 before the learned Judicial Magistrate No.VI, Trichirappalli for compensation and maintenance under the provisions of Protection of Women From Domestic Violence Act, 2005. The respondent filed H.M.O.P.No.95 of 2014 before the Principal Sub-Court, Thanjavur for Dissolution of Marriage.

4. The petitioner is residing in Trichy along with her aged parents with three years old child. She is not able to travel from Trichy to Thanjavur, along with her child. The petitioner is depending on her parents for day to day expenses including the travel expenses.



5. Now, the petitioner/wife filed this petition to transfer the aforesaid HMOP No.95 of 2014 filed by the respondent/Husband from the Principal Sub Court, Thanjavur to the Principal Sub-Court, Trichy. The respondent is regularly appearing before the Judicial Magistrate NO.VI, Trichi, in M.C.No.18 of 2014, filed by the petitioner. Therefore, It will not be difficult for the respondent/husband to attend the hearing at Trichy.

6. Heard the learned counsel appearing for the petitioner and the respondent.

7. The learned counsel for the respondent has no objection for allowing this petition.

8. Recording the no objection made by the learned counsel for the respondent, this Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.95 of 2014 on the file of the Principal Sub Court, Thanjavur, is hereby withdrawn and transferred to the file of the Principal Sub Court, Trichy, if the same is not yet disposed of. The learned Principal Sub Judge, Thanjavur is directed to send the case bundles to the Principal Sub Court, Trichy, immediately. The Registry is also directed to send back the papers that are pending before the Registry. No costs. Consequently, M.P(MD)No.1 of 2014 is closed.

9. The H.M.O.P, is pending from the year 2014. The learned Principal Sub Judge, Trichy is directed to dispose the case in H.M.O.P.No.95 of 2014 as expeditiously as possible, in any event not later than 31st January 2016.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To
1.The Principal Subordinate Judge
Thanjavur.

2.The Principal Subordinate Judge
Trichy.

+1cc to M/S. B.SARAVANAN, Advocate in SR.No 28541

+1cc to M/S. V.S.Kumaraguru, Advocate in SR.No 28164

TS/18.06.2015/2P -5C

Tr.C.M.P. (MD)No.331 of 2014