



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 22.04.2015
CORAM

THE HONOURABLE MS. JUSTICE V.M.VELUMANI

Tr.C.M.P (MD) No.333 of 2014

and

M.P (MD) No.1 of 2014

R.Queenteen Adaikala Mary

... Petitioner

Vs.

J.Alfred Joseph

... Respondent

Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code to withdraw and transfer I.D.O.P.No.127 of 2014 on the file of the Sub Court, Cuddalore to the Family Court, Trichy.

For Petitioner : Mr.A.V.Rajasekaran

For Respondent : Mr.S.Suresh

ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw I.D.O.P.No.127 of 2014 on the file of the Sub Court, Cuddalore to the Family 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 09.02.2014 at St.Mary's Church, Cuddalore as per Christian Rites and Customs.

3. According to the petitioner, the respondent and his family members tortured the petitioner and therefore, she has come out from matrimonial home and she is living with her parents at Trichy. The respondent filed I.D.O.P.No.127 of 2014 before the Principal Sub Judge, Cuddalore for nullity of marriage.

4. The petitioner filed M.C.No.290 of 2014 before the Family Court, Trichy for maintenance. The petitioner has no independent income and she is depending upon her parents even for day to day expenses. She is suffering from back pain. She has to travel more than 4-1/2 hours from Trichy to Cuddalore. The parents of the petitioner also find it very difficult to accompany her every hearing to go to Cuddalore.

5. The respondent is running a Private Company at Cuddalore and earning more than Rs.2,00,000/- per month. The respondent and his family members are also economically well settled. The respondent is attending every hearing at Trichy in M.C.No.290 of 2014.

6. Heard the learned counsel appearing for the petitioner and for the respondent. The learned counsel for the respondent vehemently opposed the petition for transfer.



7. Taking into consideration that the petitioner is unable to travel from Trichy to Cuddalore for attending the case in I.D.O.P.No.127 of 2014 and that the respondent is attending the Family Court, Trichy for every hearing in M.C.No.290 of 2014, this Transfer Civil Miscellaneous Petition is allowed and I.D.O.P.No.127 of 2014 on the file of the Sub Court, Cuddalore is hereby withdrawn and transferred to the file of the Family Court, Trichy to be tried along with M.C.No.290 of 2014 filed by the petitioner, if the same is not yet disposed of. The learned Sub Court, Cuddalore is directed to send the case bundles to the Court of the Family 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.

Sd/-

Assistant Registrar(Writs)

/TRUE COPY/

Sub Assistant Registrar

To

1. The Subordinate Judge, Cuddalore.
2. The Judge, Family Court, Trichy.

+1cc to Mr.A.V.Rajasekaran, Advocate, SR.No.21199

Tr.C.M.P. (MD)No.333 of 2014
22.04.2015

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