



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.06.2015

CORAM

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Tr.C.M.P(MD)No.363 of 2014 and
M.P(MD)No.1 of 2014

C.Revathi

... Petitioner

Vs.

S.Saravanakumar

... Respondent

Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code to withdraw and transfer the case in H.M.O.P.No.66 of 2014 on the file of the Sub-Court, Virudhunagar and transfer the same to any of the competent Sub-Court in Madurai.

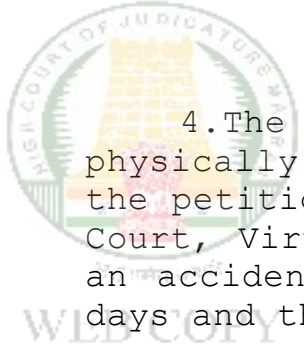
For Petitioner : Mr. PALA. RAMASAMY
For Respondent : Mr. S. RAMASAMY

ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw and transfer the case in H.M.O.P.No.66 of 2014 on the file of the Sub-Court, Virudhunagar and transfer the same to any of the competent Sub-Court in Madurai.

2.The petitioner herein is the wife and the respondent is the husband of the petitioner. The marriage was solemnized between the petitioner and the respondent on 02.09.2009, as per the customary practice of Kassukara Chettiyyar. After the marriage, both the petitioner and the respondent lived together at Tiruvananthapuram along with the respondent's parents. The respondent's mother and sister used to quarrel with the petitioner without any reason. Under the circumstances, the petitioner was sent out from the matrimonial home in the month of July 2010 and now, the petitioner is residing with her parents without any income.

3.The petitioner filed M.C.No.68 of 2010 before the learned Additional Chief Judicial Magistrate, Madurai. By the order dated 01.10.2012, the learned Additional Chief Judicial Magistrate, Madurai, allowed the petition and directed the respondent to pay a sum of Rs.1,500/- per month as monthly maintenance on or before 5th day of every succeeding English Calendar Month. The petitioner also preferred a complaint before the Judicial Magistrate Court No.II, Madurai, under Domestic Violence Act. In such circumstances, the respondent has filed H.M.O.P.No.66 of 2014 on the file of the Sub-Court, Virudhunagar, for divorce, making false allegation.



4.The petitioner is depending on her aged parents, who are physically as well as mentally sick. There is no one to accompany the petitioner to attend each and every hearing in the Subordinate Court, Virudhunagar. The petitioner also stated that she met with an accident and she was admitted in Vadamalayan Hospital for 10 days and the Doctors have advised her not to travel long distance.

5.In such circumstances, the petitioner has come out with the present petition to withdraw and transfer the aforesaid HMOP No.66 of 2014 filed by the respondent/ husband before the Sub Court, Virudhunagar, to the Sub-Court, Madurai.

6.The learned counsel appearing for the respondent has no objection to transfer H.M.O.P.No.66 of 2014 filed by the respondent/husband before the Sub-Court, Virudhunagar to the Sub-Court, Madurai, and he has also made an endorsement to that effect.

7.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.66 of 2014 on the file of the Sub Court, Virudhunagar, is hereby withdrawn and transferred the same to the file of the First Additional Sub Court, Madurai. The Sub Court, Virudhunagar, is directed to send the case bundles to the First Additional Sub Court, Madurai, 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. The learned First Additional Sub-Judge, Madurai, is directed to dispose of H.M.O.P.No.66 of 2014 as expeditiously as possible, in any event not later than 31.01.2016.

SD

ASST REGISTRAR (CO)

TRUE COPY

SUB ASST REGISTRAR

Ns

To

1.The Subordinate Judge, Virudhunagr.

2.The First Addl. Subordinate Judge, Madurai.

Copy to : The Section Officer, VR SECTION,
Madurai Bench of Madras High Court, Madurai.
(DIRECTION TO SENT BACK THE PAPERS)

1CC TO MR. S. RAMASAMY, ADVOCATE, SR: 27650

DM 22 6 15

Tr.C.M.P(MD)No.363 of 2014 and M.P(MD)No.1 of 2014