



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.06.2015

CORAM

WEB COPY

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Tr.C.M.P(MD)No.458 of 2014
and
M.P(MD)No.1 of 2014

S.Srivardhini

... Petitioner

Vs.

B.Sahadevan

... Respondent

Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code to withdraw H.M.O.P.No.78 of 2014 from the file of the Sub Court, Thiruvarur and transfer the same to Sub Court, Kumbakonam.

For Petitioner : Mr.R.Vijayakumar
For Respondent : No appearance

ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw the case in H.M.O.P.No.78 of 2014 from the file of the Sub Court, Thiruvarur and transfer the same to Sub Court, Kumbakonam.

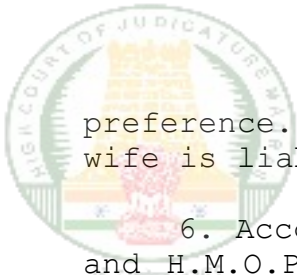
2. The petitioner herein is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 01.06.2011 as per Hindu Rites and Customs. After the marriage, both were residing in matrimonial home at Thiruvarur. From the date of marriage, the respondent treated the petitioner cruelly, demanding dowry. The petitioner was sent out from the matrimonial home by the respondent in the year 2013. Now, she is residing with her parents at Kumbakonam. The petitioner is not having any independent income and it is very difficult for the petitioner to travel each and every hearing to attend H.M.O.P.No.78 of 2014. The petitioner is depending on her parents for her day to day expenses including travel expenses. The respondent is also a permanent resident of Kumbakonam and he is working as a Assistant Professor in Government Arts College at Kumbakonam. Therefore, it will not be difficult for the respondent if H.M.O.P.No.78 of 2014 is transferred to Sub Court, Kumbakonam.

3.In the above circumstances, the petitioner/wife has filed this petition to transfer the aforesaid HMOP No.78 of 2014 filed by the respondent/Husband before the Sub Court, Thiruvarur, to the Sub Court, Kumbakonam.

4.Heard the learned counsel appearing for the petitioner. Despite service of notice, the respondent has not chosen to appear either in person or through pleader.

<https://hcservices.ecourts.gov.in/hcservices/>

5. It is well settled law that whenever, the transfer application is filed in matrimonial disputes, the convenience of the wife shall be given



preference. Therefore, I am of the view that the petition filed by the wife is liable to be allowed.

6. Accordingly, this Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.78 of 2014 on the file of the Sub Court, Thiruvarur, is hereby withdrawn and transferred to the file of the Sub Court, Kumbakonam, if the same is not yet disposed of. The learned Sub Judge, Thiruvarur, is directed to send the case bundles to the Sub Court, Kumbakonam, 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/-

The Assistant Registrar(T&P)

/True copy/

Sub-Assistant Registrar

To

1.The Sub Court,
Thiruvarur.

2.The Sub Court,
Kumbakonam.

+1cc to M/s.R.Vijayakumar, Advocate SR.No.30436

Copy to:-The Section officer, VR Section,
Madurai Bench of Madras High court, Madurai.

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Sm:KBM:02.07.2015:2P/5C

Tr.C.M.P. (MD)No.458 of 2014
11.06.2015