



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 01.07.2015

CORAM:

THE HONOURABLE MS.JUSTICE V.M. VELUMANI

WEB COPY

Tr.C.M.P.(MD).No.131 of 2015 and
M.P.(MD).No. 1 of 2015

M. Muthulakshmi : Petitioner

Vs.

S. Jeyachandran : Respondent

Prayer: This Transfer CMP is filed under Section 24 of CPC praying to withdraw the case in HMOP.No.482 of 2014 on the file of I Additional Sub Court (Camp) at Melur, Madurai and transfer the same to the file of Family Court, Madurai.

For Petitioner : Mr. P. Muthu Vijayapandiyan
For Respondent : Mr. Vakeeswaran

O R D E R

The petitioner, who is the respondent in HMOP.No.482 of 2014 filed this petition, to transfer HMOP.No.482 of 2014 from the file of I Additional Sub Court (Camp Court) at Melur, Madurai to Family Court, Madurai.

2. The petitioner herein is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 31.01.2012. After marriage, both were living together in matrimonial home for a period of one week. Due to misunderstanding, the petitioner gave a complaint before All Women Police Station, Melur and First Information Report has been registered in Crime No.48 of 2014, for the alleged offence under Sections 498(A), 420, 294(B), 323 and 506(i) of IPC. The respondent filed HMOP.No.482 of 2014, on the file of I Additional Sub Court (Camp) Melur, for divorce. The petitioner also filed a petition on the file of Mahila Court, Madurai, under Sections 12 of the Protection of Women from Domestic Violence Act, 2005.

3. Now, the petitioner is residing at Kochadai, Madurai. The distance between Kochadai and Melur is approximately 40 Kilometers and it is very difficult for the petitioner to travel each and every hearing to attend HMOP.NO.482 of 2014, before the I Additional Sub Court (Camp) Melur. Further, the petitioner is doing business of vending vegetables and it is very difficult for her to travel each and every hearing to attend HMOP.NO.482 of 2014, before the I



Additional Sub Court (Camp Court) Melur. In the circumstances, the petitioner has filed the present petition to transfer HMOP.NO.482 of 2014, before the I Additional Sub Court (Camp Court) Melur to Family Court, Madurai.

4. The respondent entered appearance through his counsel and he did not file any counter affidavit. The learned counsel for the respondent represented that the respondent has no objection for HMOP being transferred to III Additional Sub Court, Madurai, instead of Family Court, Madurai.

5. In view of this, the Transfer CMP is disposed of and HMOP No.482 of 2014, pending on the file of I Additional Sub Court (Camp Court) Melur, is ordered to be withdrawn and transferred to the file of III Additional Sub Court, Madurai. The learned I Additional Subordinate Judge (Camp Court) Melur, is directed to transmit the entire records pertaining to the case in HMOP No.482 of 2014, to the transferee Court, within a week from the date of receipt of a copy of this order. The Registry is also directed to send back the papers that are pending before the Registry. No costs. Consequently, connected Miscellaneous Petition is also closed.

SD

ASST REGISTRAR - T AND P

TRUE COPY

SUB ASST REGISTRAR

trp

To

1. The I Additional Sub Court (Camp) at Melur, Madurai
2. The III Additional Sub court, Madurai

Copy to : The Section Officer, VR Section,
Madurai Bench of Madras High Court, Madurai.

1CC TO MR. P. MUTHUVIJAYA PANDIAN, ADV SR: 35208

1CC TO MR. C. VAKEESWARAN, ADV SR: 35211

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