



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2015

CORAM

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Tr.C.M.P(MD)No.202 of 2015 and  
M.P. (MD).No. 1 of 2015

Ramalakshmi ... Petitioner / Respondent

Vs.

R. Rajendran ... Respondent / Petitioner

Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code to withdraw the case in HMOP.No.32 of 2014 on the file of Sub Court, Srivilliputur, and transfer the same to the file of III Sub Court, Madurai.

For Petitioner : Mr.C. Vakeeswaran  
For Respondent : Ms. P. Sepana @ Sree

ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw and transfer HMOP.No.32 of 2014, on the file of Sub Court, Srivilliputur, to III Sub 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 03.09.2004. A female child was born on 27.04.2005, in the wedlock. From the date of marriage, the respondent treated the petitioner cruelly and harassed her. Hence, the petitioner left matrimonial home along with her minor child. Thereafter, the respondent filed HMOP.No.32 of 2014, before the Sub Court, Srivilliputur, for divorce.

3. Now, the petitioner is staying with her parents at Madurai along with minor child. Her parents are aged persons and suffering from old age problems. Her minor child is studying 6<sup>th</sup> Standard in Government Higher Secondary School, Paravi, Madurai. The distance between Srivilliputur and Madurai is about 200 Kms and it is very difficult for the petitioner to travel for each and every hearing to attend HMOP at Srivilliputur, along with minor child. Further, she is not having any independent income. The petitioner is only depending on her parents for her day to day expenses, including the travel expenses.

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

4. In such circumstances, the petitioner filed this petition to



transfer the aforesaid HMOP.NO.32 of 2014, filed by the respondent, from the file of Sub Court, Srivilliputur, to III Sub Court, Madurai.

5. Heard the learned counsel appearing for the petitioner. The learned counsel appearing for the respondent has no objection to allow this petition and he has also made an endorsement to that effect and he has prayed for early disposal of the above said HMOP.

6. Recording the no objection made by the learned counsel for the respondent, the Transfer CMP is allowed and HMOP.No.32 of 2014, pending on the file Sub Court, Srivilliputur, is ordered to be withdrawn and transferred to the file of III Sub Court, Madurai. The learned Subordinate Judge, Srivilliputur, is directed to transmit the entire records pertaining to the case in HMOP.NO.32 of 2014, to the transferee Court, within a week from the date of receipt of a copy of this order, if the same is not yet disposed of. The Registry is also directed to send back the papers that are pending before the Registry. As and when the records received, the learned Subordinate Judge -III, Madurai, is directed to dispose of the above said HMOP.No.32 of 2014, as expeditiously as possible, in any event not later than 31<sup>st</sup> January, 2016. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Per.Admn.)

/TRUE COPY/

Sub Assistant Registrar

To

1. The subordidnate Judge III  
III Sub Court, Madurai.

2. The Sub ordinate Judge,  
Sub Court, Srivilliputur.

+1 CC to M/s.Sepana @ sree Advocate, SR No.37847

+1 cc to Mr.C.Vakeeswaran, Advocate, SR No.37546

trp

SH:31.07.2015:P2/5C

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