



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.07.2015

CORAM

WEB COPY

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Tr.C.M.P(MD)No.203 of 2015 and
M.P(MD)No.1 of 2015

K.Manju ... Petitioner/Respondent.
Vs.

Karthikeyan ... Respondent/Petitioner.

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.46 of 2015, on the file of the Subordinate Court, Nagapattinam, Nagapattinam District, to the Subordinate Court, Pudukottai District.

For Petitioner : Mr.Prasanna Rajadurai for M/s.S.Muthalraj
For Respondent : No appearance

ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw and transfer the case in H.M.O.P.No.46 of 2015, on the file of the Subordinate Court, Nagapattinam, Nagapattinam District, to the Subordinate Court, Pudukottai District.

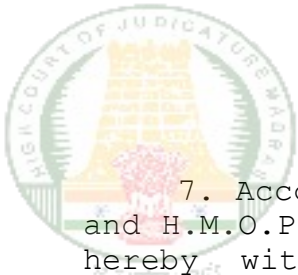
2. The petitioner herein is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 04.06.2003. Two female children were born in the wedlock on 21.08.2004 and 23.04.2008. Due to misunderstanding, the respondent filed H.M.O.P.No.46 of 2015, before the Sub Court, Nagapattinam for divorce.

3. Now, the petitioner is residing at Pudukottai along with her aged mother. It is very difficult for her to travel each and every hearing to attend H.M.O.P.No.46 of 2015, before the Sub Court, Nagapattinam. The petitioner is depending on her parents for her day-to-day expenses including travel expenses.

4. In such circumstances, the petitioner filed this petition to transfer the aforesaid HMOP No.46 of 2015, filed by the respondent husband, before the Sub Court, Nagapattinam to Sub Court, Pudukottai.

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

6. It is well settled law that whenever, the transfer petition 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.



7. Accordingly, this Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.46 of 2015, on the file of the Sub Court, Nagapattinam, is hereby withdrawn and transferred to the file of the Sub Court, Pudukottai, if the same is not yet disposed of. The learned Sub Judge, Nagapattinam, is directed to send the case bundles to the Sub Court, Pudukottai, immediately. The Registry is also directed to send back the papers that are pending before the Registry. No costs. Consequently, connected Miscellaneous Petition is closed.

am

Sd/-

Assistant Registrar(Per Admn)

/True Copy/

Sub Assistant Registrar

To

1. The Sub Judge, Nagapattinam.
2. The Sub Judge, Pudukottai.
3. The Section Officer, V.R. Section, Madurai Bench of Madras High Court, Madurai.

1CC to Mr.Na.Palaniyandi, Advocate,SR.No41163

Tr.C.M.P(MD)No.203 of 2015 and
M.P(MD)No.1 of 2015
24.07.2015

2P/5C

AM/NGM.SS/SAR-II/31.08.2015.