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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.10.2015

CORAM:

THE HONOURABLE DR.JUSTICE P.DEVADASS

TR.CM.P.(MD) No.335 of 2015

and

M.P.(MD) No.1 of 2015

Sathya

... Petitioner

-vs-

Kannan

... Respondent

PRAYER: Petition is filed, under Section 24 of the Code of Civil Procedure, to withdraw the case in H.M.O.P.No.48 of 2015, from the file of Sub Court, Hosur, and transfer the same to the file of Sub Court, Uthamapalayam, Theni District, for disposal of the same on merits in accordance with law.

For Petitioner	:	Mr.R.M.Arun Swaminathan
For Respondent	:	No appearance

O R D E R

Wife wants transfer of her husband's H.M.O.P.No.48 of 2015 filed for divorce, from Sub Court, Hosur in Krishnagiri District, to the Sub Court, Uthamapalayam in Theni District.

2. The respondent, in spite of having been served and his name having been printed in the cause list, not appeared either in person or through a counsel.

3. Heard the learned counsel for the petitioner and perused the materials on record.

4. Petitioner Sathya married respondent Kannan on 11.12.2005 according to the Hindu Rites and Customs. They were blessed with children, but not with a happy married life. It is because of difference of opinion arose between them. She is in her parents' house in Surulipatti in Uthamapalayam Taluk in Theni District. Her children are studying in Cumbum. He filed H.M.O.P.No.48 of 2015 to divorce her. It is pending in the Sub Court, Hosur. Since she is



residing in Surulipatti in Uthamapalayam Taluk, her children are studying in Cumbum, she find it very difficult to go to Hosur in Krishnagiri District. Valid ground for transfer has been made.

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5. In the circumstances, ordered as under:

- i. H.M.O.P.No.48 of 2015 is transferred from the Sub Court, Hosur, in Krishnagiri District, to the Sub Court, Uthamapalayam, in Theni District.
- ii. The learned Sub Judge, Hosur, shall send the entire case records in H.M.O.P.No.48 of 2015 to the Sub Court, Uthamapalayam, forthwith.

6. Accordingly, this Transfer Civil Miscellaneous Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (Writs)

/True Copy/

Sub Assistant Registrar

To:

- 1.The Principal District Judge,
Krishnagiri.
- 2.The Principal District Judge,
Theni.
- 3.The Subordinate Judge,
Hosur.
- 4.The Subordinate Judge,
Uthamapalayam.

+1cc to Mr.D.S.Haroon Rasheed, Advocate Sr.No.59647

akm/15.10.2015 /2p-6c/

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and**

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