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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.10.2015

CORAM:

THE HONOURABLE DR.JUSTICE P.DEVADASS

TR.CM.P.(MD) No.336 of 2015

and

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

Sridevi Priya

... Petitioner

-vs-

Ramkumar

... Respondent

PRAYER: Petition is filed, under Section 24 of the Code of Civil Procedure, to transfer the H.M.O.P.No.118/2015 pending on the file of Principal Sub Court, Tuticorin, to the Family Court, Tirunelveli, to conduct a joint trial with the H.M.O.P.No.152 / 2015 pending on the file.

For Petitioner : Mr.A.Nister Hakeem

For Respondent : No appearance

O R D E R

Wife wants transfer of her husband's H.M.O.P.No.118 of 2015 filed for divorce, from Principal Sub Court, Tuticorin, to the Family Court, Tirunelveli.

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 Sridevi Priya married respondent Ramkumar, on 19.03.2014, in Tirunelveli, according to the Hindu Rites and Customs. They were not blessed with any children. It seems that they are also not blessed with happy married life. Both have started quarreling. It is because of various reasons. Ramkumar neglected Sridevi Priya. She says that it is without any basis. In this backdrop of the matter, he filed H.M.O.P.No.118 of 2015, in the Principal Sub Court, Tuticorin, to dissolve the marriage.

5. On the other hand, she filed H.M.O.P.No.152 of 2015, in the Family Court, Tirunelveli, seeking reunion. She is ready to forgive him and lead happy married life.

6. Now, petitioner is residing in Palayamkottai along with her parents. She has no support in Tuticorin. She finds difficulty in



going to Tuticorin to face her husband's case. Thus, valid ground for transfer has been made.

7. In the circumstances, ordered as under:

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- i. H.M.O.P.No.118 of 2015 is transferred from the Principal Sub Court, Tuticorin, to the Family Court, Tirunelveli.
 - ii. The learned Principal Sub Judge, Tuticorin, shall send the entire case-records in H.M.O.P.No.118 of 2015 to the Family Court, Tirunelveli, forthwith.
 - iii. The Judge, Family Court, Tirunelveli, will try the said H.M.O.P.No.118 of 2015 along with H.M.O.P.No.152 of 2015.

8. Accordingly, this transfer civil miscellaneous petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (C.O.)

/True Copy/

Sub Assistant Registrar

To:

- 1.The Principal District Judge,
Tuticorin.
- 2.The Principal Subordinate Judge,
Tuticorin.
- 3.The Judge,
Family Court,
Tirunelveli.

+1cc to M/s.A.Nister Hakeem, Advocate Sr.No.63222

akm/02.11.2015 /2p-5c/

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