



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :12.06.2015

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THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Tr.C.M.P (MD) No.7 of 2015

and

M.P (MD) No.1 of 2015

R.Thirumoorthi

... Petitioner

Vs.

Tamilselvi

... Respondent

Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code to pass an order to withdraw the case in H.M.O.P.440 of 2014 pending on the file of the Sub-Court, Tambaram and transfer the same to Sub-Court, Paramakudi.

For Petitioner : Mr.D.Senthil

For Respondent : Mr.D.Ramesh

ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw the case in H.M.O.P.No.440 of 2014 pending on the file of the Sub-Court, Tambaram and transfer the same to Sub-Court, Paramakudi.

2.The petitioner herein is the husband and the respondent is the wife. The marriage between the petitioner and the respondent was solemnised on 22.04.2005. A female child was born in the wedlock. According to the petitioner, after the marriage, both the petitioner and the respondent were living together in the matrimonial home in the native place at Muthukulathoor. Suddenly, the respondent left the matrimonial home and was residing with her parents along with the child. The respondent is working as a Teacher in Sri Vinayagar Teacher Training College, Kamuthakudi, Paramakudi Taluk, Ramanathapuram District. She filed H.M.O.P.No.440 of 2014 on the file of the Sub-Court, Tambaram for dissolution of marriage. In H.M.O.P.No.440 of 2014, the respondent has stated that "the petitioner is employed at Temporary Teacher in Sri Vinayagar Teacher Training College at Kamuthakudi and a week ender to her parents place at Chennai".

3. The petitioner is a practising Advocate at Muthukulathoor, Ramanathapuram District and the respondent is also working at Paramakudi, Ramanathapuram District. The distance between Paramakudi and Tambaram is more than 600 kms and it is very



difficult for both the petitioner and the respondent to attend the hearing before the Sub-Court, Tambaram. In the circumstances, the petitioner has come out with the present Tr.C.M.P.No.7 of 2015 to transfer H.M.O.P.No.440 of 2014.

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4. The respondent entered appearance through counsel. But, she did not file any counter. From the pleadings and materials on record, it is seen that the respondent is working in Sri Vinayagar Teacher Training College, Kamuthakudi, Paramakudi Taluk, Ramanathapuram District. The petitioner and the respondent were residing at Muthukulathoor from where the respondent left her matrimonial home.

5. Heard both sides.

6. In view of the fact that the petitioner is a practising Advocate at District Munsif Court, Muthukulathoor and the respondent is working at Sri Vinayagar Teacher Training College, Kamuthakudi, Paramakudi Taluk, Ramanathapuram District, this Court is of the view that it is a fit case to transfer H.M.O.P.No.440 of 2014 from the file of Sub-Court, Tambaram to Sub-Court, Paramakudi.

7. Accordingly, this Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.440 of 2014 on the file of the Sub-Court, Tambaram, is hereby withdrawn and transferred to the file of Sub-Court, Paramakudi. The Sub-Judge, Tambaram, is directed to send all the case bundles to the Sub-Court, Paramakudi immediately. No costs. Consequently, M.P(MD)No.1 of 2014 is closed.

SD

ASST REGISTRAR -CRL SIDE

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SUB ASST REGISTRAR

pm

To

1.The Subordinate Judge, Tambaram.

2.The Subordinate Judge, Paramakudi.

1cc to MR. D. SENTHIL ADV SR: 30429

DM 30 JUNE 15 2P; 5C

Tr.C.M.P. (MD)No.7 of 2015