



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.07.2015

CORAM:

THE HONOURABLE MS.JUSTICE V.M. VELUMANI

Tr.C.M.P. (MD).No.362 of 2013 and
M.P.(MD).No. 1 of 2013

Mallika : Petitioner

Vs.

M. Senthilkumar : Respondent

Prayer: This Transfer CMP is filed under Section 24 of CPC praying to withdraw the case in HMOP.No.265 of 2013, on the file of Sub Court, Tambaram and transfer the same to the file of Sub-Court, Tenkasi.

For Petitioner : Mr.S. Murugan
For Respondent : Mr. N. Ponkarthikeyan

O R D E R

The petitioner, who is the respondent in HMOP.No.265 of 2013 filed this petition, to transfer HMOP.No.265 of 2013, from the file of Sub Court, Tambaram, to Sub Court, Tenkasi.

2. The petitioner herein is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 18.10.2012, as per Hindu Rites and Customs. Due to misunderstanding between the petitioner and respondent, the petitioner left the matrimonial home. The respondent filed HMOP.No.265 of 2013, on the file of Sub-Court, Tambaram, to declare the marriage as null and void.

3. Now, the petitioner is working as an Assistant in a Matriculation School at Vadakarai, Thirunelveli District, with a meagre salary. Her parents are aged persons. The distance between Vadakarai, Thirunelveli District, and Tambaram is 600 Kilometers and it is very difficult for the petitioner to travel each and every hearing to attend HMOP.No.265 of 2013, before the Sub-Court, Tambaram. There is no one to accompany her to travel each and every hearing to attend HMOP.No.265 of 2013, before the Sub-Court, Tambaram. In the circumstances, the petitioner has filed the present petition to transfer HMOP.No.265 of 2013, on the file of Sub-Court, Tambaram, to Sub-Court, Tenkasi.

4. The respondent entered appearance through his counsel and he did not file any counter affidavit. At the time of arguments, the learned counsel for the respondent submitted that the respondent has no objection to transfer the HMOP to Family Court, Thirunelveli, instead of Sub-Court, Tenaksi and he also made an endorsement to that



effect. The learned counsel for the petitioner also has agreed for the same.

5. Heard the learned counsel appearing for both parties.

6. Recording the above said endorsement made by the learned counsel for the respondent and the submissions of learned counsel for petitioner, the Transfer Civil Miscellaneous Petition is disposed of and HMOP.No.265 of 2013, on the file of Sub-Court, Tambarm is hereby withdrawn and transferred to the file of Family Court, Thirunelveli, if the same is not yet disposed of. The learned Subordinate Judge, Tambaram, is directed to send the case bundles to the Family Court, Thirunelveli, immediately. The Registry is also directed to send back the papers that are pending before the Registry. No costs. Consequently, Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Crl.Side)

\\True copy\\

Sub Assistant Registrar

To

1. The Subordinate Judge, Tambaram
2. The Family Court, Thirunelveli.

Copy to : The Section Officer, V.R.Section,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.G.Karuppasamy Pandian, Advocate Sr. No.39566

+1cc to Mr.R.Pon Karthikeyan, Advocate SR.No.39120

akm/29.07.15 /2p-6c/

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