

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

Transfer C.M.P.No.866 of 2015

G.Yesodha ...Petitioner
vs.
K.Muthukrishnan ...Respondent

Tr.C.M.P. filed under section 24 of C.P.C., to withdraw and transfer HMOP No.90 of 2015 pending before the Subordinate Court at Udumalpet to the file of Subordinate Court at Dharapuram.

For Petitioner : Mr.D.Raghu

For Respondent : No appearance

O R D E R

The respondent in HMOP No.90 of 2015 on the file of Sub-Court, Udumalpet is the petitioner in this petition.

2. The respondent herein instituted a proceedings against the petitioner before the Sub-Court, Udumalpet invoking Section 9 of the Hindu Marriage Act for restitution of conjugal rights. The petitioner has come up with this petition for transfer.

3. Heard the learned counsel for the petitioner. None appears for the respondent in spite of his name printed in the cause list after service.

4. The petitioner is a resident of Kangeyam in the District of Tiruppur. The proceedings instituted by the respondent is pending on the file of Sub Court, Udumalpet. According to the petitioner, it would be very difficult for her to appear before the Sub-Court, Udumalpet along with her minor child.

5. There is nothing on record to suspect the bonafides in filing this transfer petition. The petitioner has produced sufficient materials to demonstrate that it would be difficult for her to defend the proceedings before the Sub-Court, Udumalpet. I am therefore of the view that the transfer petition deserves to be allowed.

6. In the result, the proceedings in H.M.O.P.No.90 of 2015 is withdrawn from the file of Sub-Court, Udumalpet and is transferred to the file of Sub-Court, Dharapuram for trial.

7. The Transfer Civil Miscellaneous Petition is allowed as indicated above. No costs. Consequently, connected M.P.No.1 of 2015 is closed.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

aeb

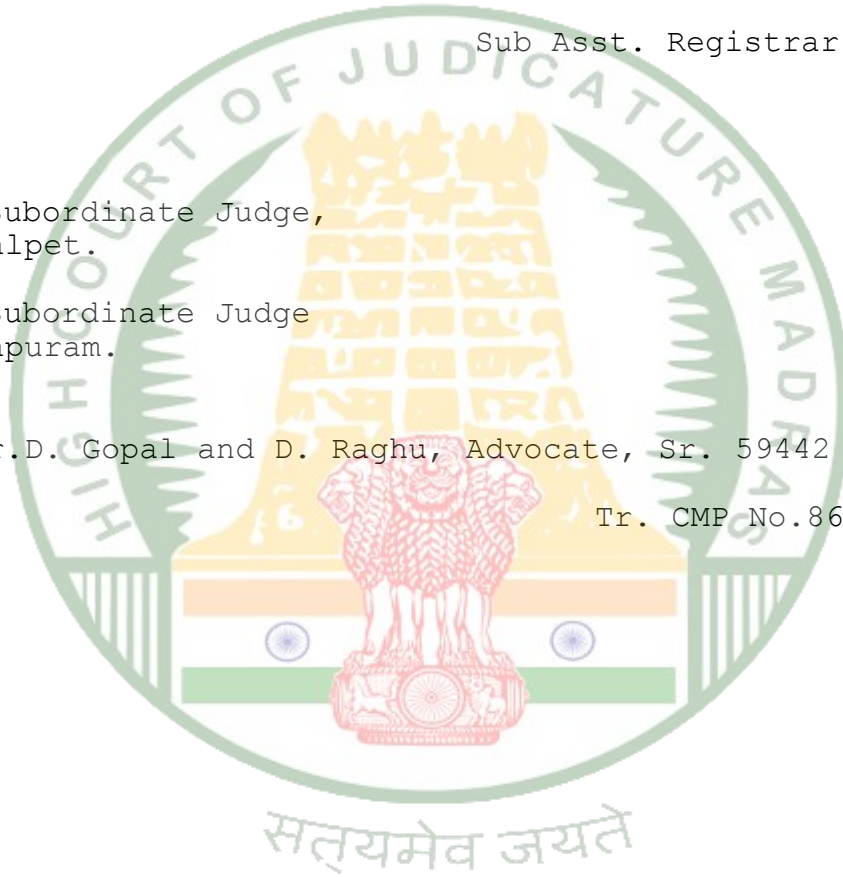
To :

1. The Subordinate Judge,
Udumalpet.
2. The Subordinate Judge
Dharapuram.

1 cc to Mr.D. Gopal and D. Raghu, Advocate, Sr. 59442

Tr. CMP No.866 of 2015

MP (CO)
kk 25/11



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