



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:07.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.MATHIVANAN

Tr.C.M.P(MD)No.436 of 2015
and
M.P(MD)No.1 of 2015

M.Regha

.. Petitioner/Respondent

Vs.

A.Ramesh Babu

.. Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C to withdraw and transfer the petition in H.M.O.P.No.129 of 2015 from the file of the Sub-Court, Pollachi to the file of Sub-Court, Devakottai.

For Petitioner : Mr.V.Sasikumar

For Respondent : No Appearance

ORDER

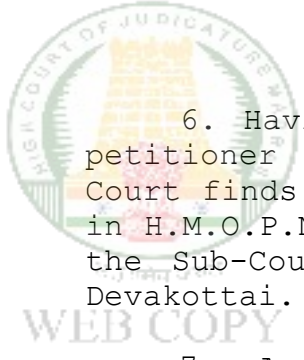
Seeking the relief of withdrawal of the matrimonial proceedings in H.M.O.P.No.129 of 2015 from the file of the learned Subordinate Judge, Pollachi and to transfer the same to the file of the Sub-Court, Devakottai, this Transfer Civil Miscellaneous Petition is filed by the petitioner under Section 24 of the Code of Civil Procedure.

2. The petitioner herein is the wife of the respondent. The respondent had filed a petition in H.M.O.P.No.129 of 2015 as against the revision petitioner on the file of the Sub-Court, Pollachi under Section 13(1)(ia)(ib) of the Hindu Marriage Act, seeking the relief of divorce on the ground of failure of matrimonial duties.

3. The petitioner herein has been residing separately at Tirupathur in Sivagangai District along with her mother. In this connection, she has stated that she had to assist her mother for medical treatment and moreover she had to travel to Pollachi for the purpose of attending the matrimonial proceedings, which is far away from Sivagangai District at the distance of 300 kms and totally she had to travel 600 kms up and down. Besides this, since she being a female, she found it difficult to travel to Pollachi lonely for defending the matrimonial proceedings under H.M.O.P.No.129 of 2015.

4. Notice was ordered to be sent to the respondent. Despite service of notice, the respondent has not evinced any interest in making his presence before this Court either in person or through his counsel. Therefore, he was called absent.

5. Heard Mr.V.Sasikumar, learned counsel appearing for the petitioner and perused the averments of the affidavit filed in support of this petition.



6. Having been taken into consideration of the distance, which the petitioner has to travel to Pollachi all along from Sivagangai, this Court finds that to meet the ends of justice, the matrimonial proceedings in H.M.O.P.No.129 of 2015 may be ordered to be withdrawn from the file of the Sub-Court, Pollachi and transferred to the file of the Sub-Court, Devakottai.

7. Accordingly, this Transfer Civil Miscellaneous Petition is disposed of and the matrimonial proceedings in H.M.O.P.No.129 of 2015 is ordered to be withdrawn from the file of the Sub-Court, Pollachi and transferred to the file of the Sub-Court, Devakottai, for disposal in the manner known to law. The Sub-Court, Devakottai, is directed to dispose of the said matrimonial proceedings as expeditiously as possible. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Writs)

/True copy/

Sub AssistantRegistrar

To

1.The Sub-Court,
Pollachi.

2.The Sub-Court,
Devakottai.

+1cc to Mr.V.Sasi Kumar, Advocate SR.No.1723

sm:AAl-MPA:4.2.2016:2P/4c

C.R.P(PD) (MD)No.2717 of 2015
07.01.2016