



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.10.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR**Tr.C.M.P. (MD) No.171 of 2016****and****C.M.P. (MD) No.3094 of 2016**

K.Jayalakshmi : Petitioner

Vs.

P.Karunamoorthi : Respondent

Prayer: Civil Revision Petition is filed under Section 24 of C.P.C., to withdraw the case in H.M.O.P.No.571 of 2015 pending on the file of Sub Court, Melur Camp, Madurai District and transfer the same to Sub Court, Virudhunagar.

For Petitioner : Mr.G.Marimuthu

For Respondent : Mr.R.Manoharan

ORDER

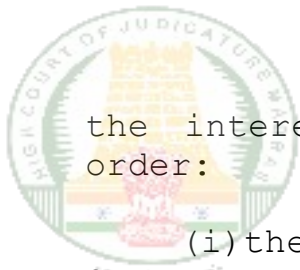
The transfer civil miscellaneous petition is filed to withdraw the case in H.M.O.P.No.571 of 2015 pending on the file of Sub Court, Melur Camp, Madurai District and transfer the same to Sub Court, Virudhunagar.

2.According to the learned counsel for the petitioner, the respondent/husband filed H.M.O.P.No.571 of 2015 before the Sub Court, Melur Camp, Madurai District for divorce. On receipt of the same, the petitioner filed the present civil revision petition stating that he is residing at Keelathulukkankulam village along with his mother, who is the senior citizen. She has further stated in the affidavit that he is having 7 years old female child, who is studying 2nd standard in the said village. Further, the distance between her village and Melur is nearly 85 kms and it is very difficult to attend the said Court for hearing and hence, she filed the present transfer civil miscellaneous petition.

3.Heard the learned counsel for the petitioner. Though notice is served to the respondent, none appeared on behalf of the respondent.

<https://hcservices.ecourts.gov.in/hcservices/>

4.The respondent husband filed H.M.O.P.No.571 of 2015 for divorce. The petitioner wife is residing in Keelathulukkankulam along with mother, who is aged 65 years and along with her female child, who is studying in 2nd standard in the said village and no one in her family to accommodate the petitioner to attend the enquiry before the Sub Court, Melur, Madurai District. Therefore,



the interest of justice, I am inclined to pass the following order:

(i) the case in H.M.O.P.No.571 of 2015 on the file of the Sub Court, Melur Camp, Madurai District is hereby withdrawn and transferred to the file of the Subordinate Court, Virudhunagar;

(ii) The learned Sub Court, Melur Camp, Madurai District, is directed to transmit the entire original records to the learned Subordinate Judge, Virudhunagar immediately, on receipt of the copy of this order.

(iii) On receipt of the original records, the learned Principal Subordinate Judge, Virudhunagar is directed to renumber the case and dispose of the same, as expeditiously as possible, after notice to the parties.

6. The transfer original application is disposed of with above directions. No Costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (Crl.side)

/True copy/

Sub Assistant Registrar

To

1. The Subordinate Judge, Melur Camp, Madurai District.
2. The Subordinate Judge, Virudhunagar.

+1 CC to Mr.G.MARIMUTHU, Advocate, SR No.58482

Order made in

Tr.C.M.P. (MD) No.171 of 2016
and
C.M.P. (MD) No.3094 of 2016
04.10.2016

Arul

SH/PV:21.10.2016:2P/4C