

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2017

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.208 of 2014

and

M.P.No.1 of 2014

Deepa @ Jothi

.. Petitioner

Vs

Selvaraj

.. Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code praying to withdraw H.M.O.P.No.234 of 2013 pending on the file of the Sub-Court, Namakkal and transfer the same to the Sub-Court, Erode.

For petitioner : Mr.R.Nalliyappan

For respondent : Mr.C.D.Johnson

ORDER

It is the wife's Tr.C.M.P. in a matrimonial proceedings. The respondent-husband has filed H.M.O.P.No.234 of 2013 on the file of the Sub-Court, Namakkal, for divorce. Earlier, the petitioner-wife has filed M.C.No.55 of 2012 on the file of the Chief Judicial Magistrate Court, Erode. The husband works in the Office of the Superintendent of Police, Namakkal and he is alleged to have been threatening the wife to give consent divorce each time when she appears before the Court for hearing of the case. It is also stated by the petitioner that she is unable to spend money to reach Namakkal for each of the hearing by expending for transport. Therefore, the above transfer is sought for from the Sub-Court, Namakkal to the Sub-Court, Erode, so as to enable the wife to appear before the Court easily. Though the husband is employed in Namakkal, it would be easy for him to travel to Erode and when the case is transferred to Sub-Court again (Erode), the parties would be represented by their respective counsels, and therefore, no prejudice would be caused to the respondent-husband if the H.M.O.P. is transferred to Erode. For the sake of convenience of the wife, who has to be given preference in the Transfer cases of matrimonial proceedings, the present

Tr.C.M.P. is allowed. H.M.O.P.No.234 of 2013 pending on the file of the Sub-Court, Namakkal, shall stand withdrawn and transferred to Sub-Court, Erode. No costs. The Miscellaneous Petition is closed.

CS

Sd/-
Assistant Registrar (J)

/TRUE COPY/

Sub-Assistant Registrar

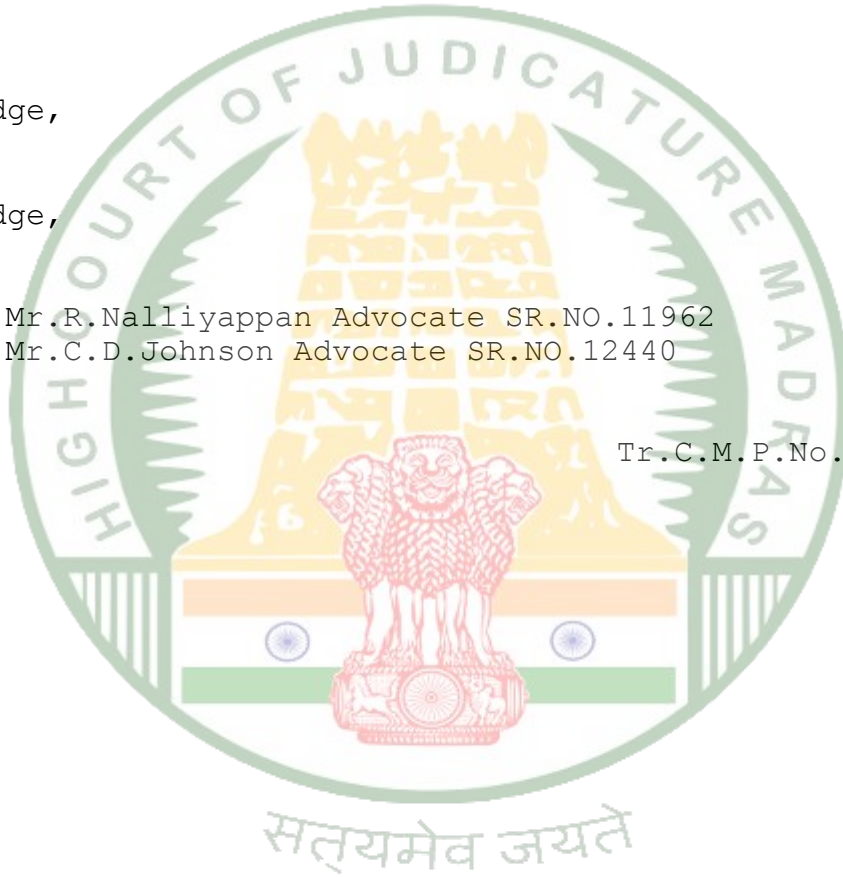
Copy to

1. The Sub-Judge,
Namakkal.
2. The Sub-Judge,
Erode.

+1 CC to Mr.R.Nalliyappan Advocate SR.NO.11962
+1 CC to Mr.C.D.Johnson Advocate SR.NO.12440

Tr.C.M.P.No.208 of 2014

CP[CO]
MK:07/03/2017



WEB COPY