

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.10.2017

CORAM

THE HONOURABLE Mrs.JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.560 of 2017
and C.M.P.No.11539 of 2017

S.Kavitha

... Petitioner

Vs.

A.Vijayakumar

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C praying to withdraw the case in H.M.O.P.No.132 of 2016 on the file of the Sub Court, Udumalaipet and transfer the same to Sub-Court, Chidambaram or any Family Court in Cuddalore District.

For Petitioner : Mr.S.Stanley John

For Respondent : Mr.E.Pragasam

ORDER

This transfer petition is filed by the petitioner-wife seeking to

withdraw the H.M.O.P.No.132 of 2016 on the file of the Sub Court, Udumalaipet and transfer the same to the Sub-Court, Chidambaram or any Family Court in Cuddalore District.

2. The respondent-husband has filed H.M.O.P.No.132 of 2016 before the Sub Court, Udumalaipet for dissolution of marriage held between the petitioner and the respondent on 06.02.2012.

3. Transfer is sought by the petitioner-wife on the ground that due to the matrimonial dispute, they got separated and she is living along with her parents at Kattumannarkoil. Out of the wedlock between the petitioner-wife and the respondent-husband, a girl child was born on 09.04.2017. The petitioner finds it difficult to travel all along with her baby from Kattumannarkoil to Udumalaipet to attend the hearings. Therefore, the present petition has been filed.

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4. Heard the learned counsel for the petitioner and the learned counsel for the respondent and perused the materials available on record.

5. Taking into consideration the grievance expressed by the petitioner that she has to travel all along from Kattumannarkoil to Udumalaipet and also taking into account the fact that the petitioner is having an infant and therefore, she could not attend the hearing dates in H.M.O.P.No.132 of 2016, this Court deems it fit to transfer the said H.M.O.P.No.132 of 2016 from the file of the Sub Court, Udumalaipet to the Sub Court, Chidambaram. This Tr.C.M.P is allowed accordingly. The learned Sub Judge, Chidambaram is directed to dispose of the H.M.O.P.No.132 of 2016 on merits on or before 30.06.2018. No costs. Consequently connected miscellaneous petition is closed.

05.10.2017

Index : Yes/No

srn

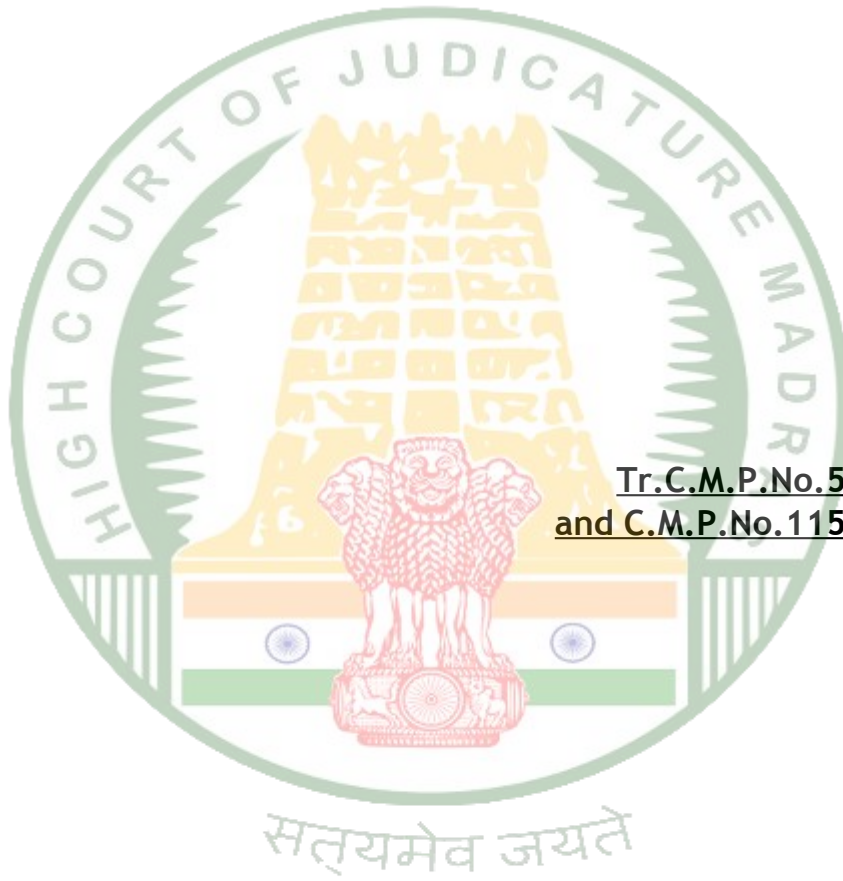
To

1. The Sub Court, Udumalaipet.
2. The Sub Court, Chidambaram

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PUSHPA SATHYANARAYANA.J

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