



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.02.2017

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.94 of 2015

and

M.P.No.1 of 2015

J.Chitra

.. Petitioner

Vs.

S.Jayaraman

.. Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code praying to withdraw H.M.O.P.No.362 of 2014 pending on the file of the Sub-Court, Dindigul and to transfer the same to the Sub-Court, Poonamallee.

For petitioner : Ms.G.Ponmani for M/s.Nathan and Associates

For respondent : Notice served - No appearance

ORDER

It is stated that out of wed-lock between the petitioner and the respondent, a female child was born to them. Now, the petitioner-wife is living in Chennai along with her parents. The respondent-husband filed a petition in H.M.O.P.No.362 of 2014 before the Sub-Court, Dindigul for divorce. The petitioner-wife filed a petition for maintenance of herself and child, before the Judicial Magistrate Court No.1, Poonamallee in M.C.No.2 of 2015. The petitioner finds it very difficult to travel all along from Chennai to Dindigul for every hearing at a distance of about 500 Kms, either along with the child or leaving the child with her aged parents, who could not even accompany her for the hearing in Dindigul. When the Tr.C.M.P. is taken up for hearing, though the respondent had been served with notice, there is no



representation for the respondent either in person or through counsel. In the Transfer cases, the convenience of the wife should be given preference for attending her case hearings and taking into consideration the above facts and the grievances expressed by the petitioner, the Tr.C.M.P. is ordered, and H.M.O.P.No.362 of 2014 pending on the file of the Sub-Court, Dindugal, shall stand withdrawn and transferred to the Sub-Court, Poonamallee. No costs. The Miscellaneous Petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

cs

To

1. The Sub-Judge,
Dindugal.

2. The Sub-Judge, Poonamallee,
Chennai.

3. The Judicial Magistrate
No.1, Poonamallee, Chennai.

Copy to

The Section Officer,
VR Section, High Court, Madras-106.

Tr.C.M.P.No.94 of 2015

sv (CO)
KP (07.03.2017)