

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.02.2017

C O R A M

THE HONOURABLE Mrs.JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.464 of 2012 and M.P.No.1 of 2012

M.Pechiyammal

.. Petitioner

-Vs.-

S.Murugan

.. Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C praying to withdraw H.M.O.P.No.1792 of 2012 filed by the respondent on the file of the III Additional Family Court, Chennai to the Principal District Judge, Tuticorin and transfer the same.

For petitioner ... Mr.C.Sangamithirai
For Respondent ... Served - No Appearance

O R D E R

This transfer petition is filed by the petitioner-wife seeking transfer of H.M.O.P.No.1792 of 2012 on the file of the III Additional Principal Family Court, Chennai to the file of the Principal District Judge, Tuticorin.

2. It is stated that out of the wedlock between the petitioner and the respondent, there are two girl children. It is further stated that the petitioner is living along with her parents at Tuticorin. The respondent/husband filed H.M.O.P.No.1792 of 2012 praying restitution of conjugal rights before the III Additional Principal Family Court, Chennai. The petitioner finds it difficult to travel all along from Tuticorin to Chennai, which is almost 450 kms, either along with the children or leaving the children with the aged parents. Since the petitioner is dependent on her parents financially, she could not afford expenses to attend the hearings in Chennai. Furthermore, it is stated that her parents are aged and they could not support her even morally. Hence, she seeks transfer of the said case.

3. In the transfer cases, the convenience of the wife should be given preference for attending her case hearings and also 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and H.M.O.P.No.1792 of 2012 pending on the file of the III Additional Principal Family Court, Chennai shall stand withdrawn and transferred to the Principal District Court, Tuticorin. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(J)

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Sub Assistant Registrar

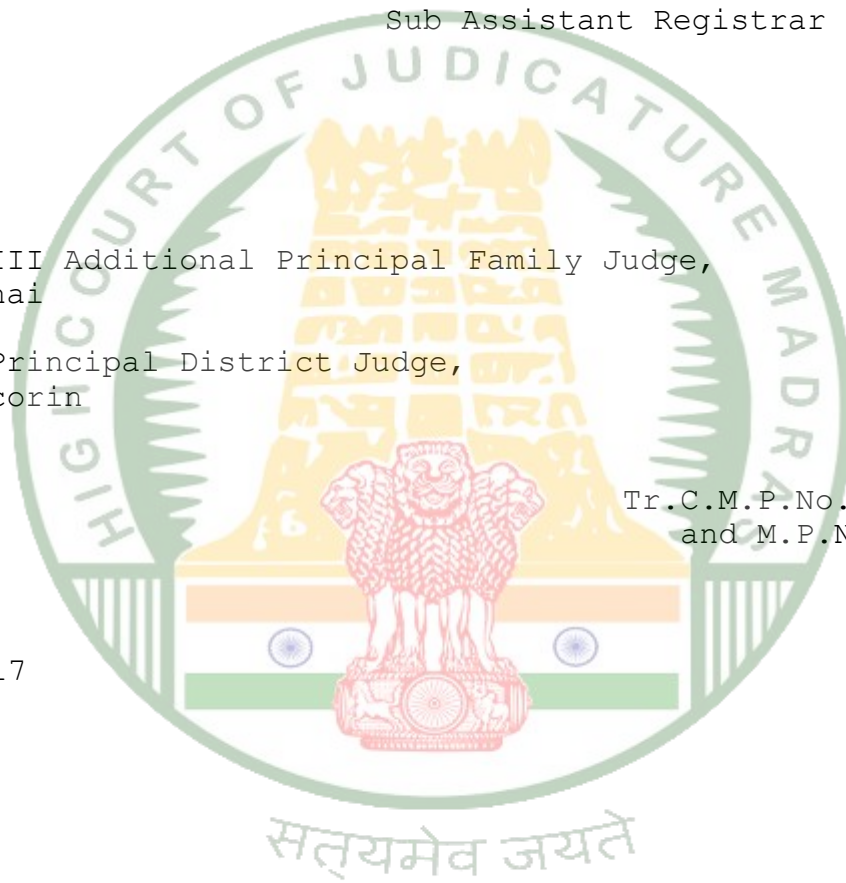
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To

1. The III Additional Principal Family Judge,
Chennai
2. The Principal District Judge,
Tuticorin

Tr.C.M.P.No.464 of 2012
and M.P.No.1 of 2012

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