

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2017

C O R A M

THE HONOURABLE Mrs.JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.79 of 2012
and M.P.No.1 of 2012

Nalinidevi

.. Petitioner

-Vs-

A.Saravanan

.. Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C praying to withdraw H.M.O.P.No.61 of 2011 pending on the file of the Sub Court, Tambaram and transfer the same to the file of the Sub Court, Perudurai.

For petitioner ... Mr.K.J.Parthasarathy

For Respondent ... Mr.M.Sankarganesh

O R D E R

The petitioner/wife has filed the above Transfer Civil Miscellaneous Petition to withdraw H.M.O.P.No.61 of 2011 on the

file of the Sub Court, Tambaram and transfer the same to the file of the Sub Court, Perundurai.

2. The petitioner-wife has filed M.C.No.14 of 2010 before the Judicial Magistrate Court, Perudurai for maintenance. The respondent-husband filed H.M.O.P.No.61 of 2011 before the Sub Court, Tambaram for restitution of conjugal rights.

3. It is stated by the petitioner that she is living at Perudurai along with her children and is only depending upon her parents and she has no income from any other source. The petitioner is unable to travel alone 450 kms from Perudurai to Chennai, coupled with the fact that she could not afford the travelling expenses, for every date of hearing of the case. Her parents also could not accompany her for the Court hearings. Hence, she seeks transfer from Tambaram to Perundurai to be tried along with M.C.No.14 of 2010.

4. Taking into consideration the grievances expressed by the petitioner that she has to travel all along from Perudurai to Tambaram and also taking into account the fact that she could not afford for travelling and the fact that the petitioner is having children and therefore, she could not attend the hearing dates in H.M.O.P.No.61 of 2011, this Court deems it fit to transfer the said H.M.O.P.No.61 of 2011.

5. Accordingly, Tr.C.M.P is allowed and H.M.O.P.No.61 of 2011 pending on the file of the Sub Court, Tambaram shall stand withdrawn and the same is transferred to the Sub Court, Perundurai to be tried along with M.C.No.14 of 2010. No costs. Consequently, connected miscellaneous petition is closed.

13.02.2017

srn

PUSHPA SATHYANARAYANA.J

srn

To

1. The Sub Court, Tambaram
2. The Sub Court, Perundurai

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