

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2017

CORAM :

THE HONOURABLE MS. JUSTICE V.M.VELUMANI

Tr.C.M.P. No.796 of 2016

and C.M.P.No.20205 of 2016

Visalakshmi Perumalsamy

... Petitioner

Vs.

R. Rajesh Kumar

... Respondent

PRAYER:- Petition has been filed under Section 24 of C.P.C., to withdraw H.M.O.P.No.451 of 2016 from the file of the Sub Court, Poonamallee and transfer the same to the Court of the Subordinate Judge, Sivakasi.

For Petitioner : Mr. Radha Pandian

For Respondent : M/s. A. Farhath Begum

O R D E R

This petition is filed to withdraw H.M.O.P.No.451 of 2016 from the file of the Sub Court, Poonamallee and transfer to the file of the Subordinate Court, Sivakasi.

2. The petitioner is the wife and respondent is the husband. The marriage between the petitioner and respondent was conducted on 22.05.2015 as per Hindu rites and customs. Due to dispute, both of them are living separately. The respondent filed H.M.O.P.No.451 of 2016 to declare the marriage as null and void, on the file of the Sub-Court, Poonamallee.

3. According to the petitioner, she is residing at Sivakasi District. She is unemployed and is depending on her parents. The distance between Sivakasi and Poonamallee is more than 600 kilo metres and hence, it is very difficult for her to travel from Sivakasi to Poonamallee to attend the hearing. Therefore, she prays for transfer of H.M.O.P.No.451 of 2016 from the file of the Sub Court, Poonamallee to the file of the Sub Court, Sivakasi.

4. Learned counsel for the respondent submitted that the respondent has no objection to transfer the case as sought for by the petitioner and prayed for early disposal of the case and he has also made an endorsement to that effect.

5. Recording the no objection given by the learned counsel for the respondent, without deciding the issue on merits, the petition in H.M.O.P.No.451 of 2016 is ordered to be withdrawn from the file of the Sub-Court, Poonamallee and transferred to the file of the Sub Court, Sivakasi. The presiding Officer, Sub-Court, Poonamallee, is directed to transmit all the records pertaining to H.M.O.P.No.451 of 2016 to the file of the Subordinate Court, Sivakasi, as expeditiously as possible. The Subordinate Judge, Sivakasi, is directed to dispose of H.M.O.P. No.451 of 2016, as expeditiously as possible, in any event, not later than three months from the date of receipt of a copy of this order.

6. Accordingly, this Transfer Civil Miscellaneous petition is ordered. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

gv

To

1.The Sub-Court, Poonamallee.

2.The Sub-Court, Sivakasi.

+1 cc to M/s.R.Radhapandian Advocate sr 42678

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